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THE
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LETTERS,

SPEECHES, CHARGES,

ADVICES, &c.

OF

FRANCIS BACON,

LORD VISCOUNT ST. ALBAN,

LORD CHANCELLOR of ENGLAND;

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Now first published

By THOMAS BIRCH, D. D.

Chaplain to her Royal Highness the Princess AMELIA,

AND

Secretary to the ROYAL SOCIETY.

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To the Honourable

CHARLES YORKE,

Attorney General to his Majeſty.

SIR,

THE gratitude, which I owe you for the honour, and other important advantages of your friendſhip, hath often made me wiſh for an opportunity of making you ſome return equal, in any degree, to your

 merit,

merit, and my own obligations. It was therefore a very agreeable incident to me, when by means of your noble brother, the Lord Viſcount Royſton, always attentive to inlarge the fund of hiſtory, as well as to encourage and reward every attempt in favour of literature in general, there was put into my hands a volume of original papers of the great Lord Bacon. This volume was, at his Lordſhip's requeſt, readily intruſted with me by his Grace the Lord Archbiſhop of Canterbury, whoſe zeal for the advancement of uſeful learning of all kinds bears a juſt proportion to that, which he has ſhewn, in every ſtation of the church filled by him, for the ſupport of religion, and for, what is the moſt perfect ſyſtem of its principles, laws, and ſanctions, Chriſtianity.

From

From the long acquaintance, with which I have been favoured by you, and the frequent converſations, which we have had upon ſubjects, foreign to the profeſſion, which you ſo much adorn, I well knew your high veneration for the writings of Bacon, and your thorough knowledge of the moſt abſtruſe of them. Having therefore, with an application little leſs than that of decyphering, tranſcribed from the firſt draughts, and digeſted into order, a collection of his letters, little inferior in number, and much ſuperior in contents, to what the world hath hitherto ſeen, intermixed with other papers of his of an important nature, I could not doubt, but that the publiſhing of them would be no leſs acceptable to you, than, I perſuade myſelf, they will be to the public. For it is ſcarce to be imagined, but that the bringing to light, from obſcurity and

oblivion, the remains of ſo eminent a perſon, will be thought an acquiſition not inferior to the diſcovery (if the ruins of Herculanum ſhould afford ſuch a treaſure) of a new ſet of the epiſtles of Cicero, whom our immortal countryman moſt remarkably reſembled as an orator, a philoſopher, a writer, a lawyer, and a ſtateſman. The communication of them to the public appearing to me a duty to it and the memory of the author, to whom could I, ſeparately from the conſideration of all perſonal connexions and inducements, ſo juſtly preſent them, as to him, whom every circumſtance of propriety, and conformity of character, in the moſt valuable part of it, pointed out to me for that purpoſe? Similarity of genius; the ſame extent of knowledge in the laws of our own and other countries, inriched and adorned with all the

ſtores

ſtores of ancient and modern learning; the ſame eloquence at the bar and in the ſenate; an equal force of writing, ſhewn in a ſingle work indeed, and compoſed at a very early age, but deciſive of a grand queſtion of law and ſanction of government, the grounds of which had never before been ſtated with due preciſion; and the moſt ſucceſsful diſcharge of the ſame offices of King's Council and Solicitor and Attorney General.

Theſe reaſons, Sir, give your name an unqueſtionable right to be prefixed to theſe poſthumous pieces. And I hope, while I am performing this act of juſtice, I may be excuſed the ambition of preſerving my own name, by uniting it with thoſe of BACON and YORKE.

Your delicacy here reſtrains me from indulging myſelf farther in the language, which truth and eſteem would dictate.

But I muſt be allowed to add a wiſh, in which every good man and lover of his country will join with me, that as there now remains but one ſtep for you to complete that courſe of public ſervice and glory, in which you have ſo cloſely followed your illuſtrious father, he, happy in the moſt important circumſtance of human life, the characters and fortunes of his children,

——*longo ordine Nati,*
Clari omnes patriâ paritèr Virtute ſuâque,

may live to ſee you poſſeſſed of that high ſtation, which himſelf filled for almoſt twenty years, with a reputation ſuperior to all the efforts of envy or party. Nor is it leſs to his honour, (and may it be your's at a very diſtant period) that, though he thought proper to retire from that ſtation in the full vigour of his abilities, he ſtill continues to exert them in

a more private ſituation, for the general benefit of his country; enjoying in it the nobleſt reward of his ſervices, an unequalled authority, founded on the acknowledged concurrence of the greateſt capacity, experience, and integrity.

I am,

SIR,

Your moſt obliged

and moſt devoted

humble ſervant,

London,
June 1, 1762.

Thomas Birch.

PREFACE.

AS the reader will undoubtedly have ſome curioſity about the hiſtory of the tranſmiſſion of theſe papers, now preſented to him at the diſtance of an hundred and forty years from the date of moſt of them, though the hand of the incomparable writer is too conſpicuous in them to admit of any ſuſpicion of their genuineneſs; it will be proper here to give him ſome information upon that ſubject. Dr. Thomas Teniſon is known to have been the editor of the *Baconiana,* publiſhed at London 1679, though he added only the initial letters of his name *to the account of all the Lord Bacon's works* (*a*), ſubjoined to that collection. He had been an intimate friend of, and fellow of the ſame college (*b*) with, Mr. William Rawley, only ſon of Dr. William Rawley, chaplain to the Lord Chancellor Bacon, and employed, by his Lordſhip, as publiſher of moſt of his works.

(*a*) This *account* is dated Nov. the 30th, 1678.
(*b*) Benet in the univerſity of Cambridge.

Dr.

Dr. Rawley dying in the 79th year of his age, June the 18th 1667, near a year after his ſon (*c*); his executor, Mr. John Rawley, put into the hands of his friend Dr. Teniſon theſe papers of Lord Bacon, which compoſed the *Baconiana*; and, probably, at the ſame time, preſented to him all the reſt of his Lordſhip's manuſcripts, which Dr. Rawley had been poſſeſſed of, but did not think proper to make public. The reaſons of his reſerve appear from Dr. Teniſon's *account (d)* cited above, to have been, "that "he judged ſome papers touching *matters of* "*ſtate* to tread too near to the heels of truth, "and to the times of the perſons concerned: "and that he thought his Lordſhip's *letters* "concerning his fall might be injurious to "his honour, and cauſe the old wounds of it "to bleed anew." But this is a delicacy, which, though ſuitable to the age in which Dr. Rawley lived, and to the relation, under which he had ſtood to his noble patron, ought to have no force in other times and circumſtances, nor ever to be too much indulged to the prejudice of the rights of hiſtorical truth.

Dr. Teniſon being, ſoon after the publication of the *Baconiana*, removed from the more private ſtation of a country living to the vicarage of St. Martin's in the fields, Weſtminſter, and,

(*c*) who was buried the 3d of July, 1666.
(*d*) p. 81.

after

after the Revolution, advanced to the Biſhopric of Lincoln, and at laſt to the Archbiſhopric of Canterbury, had ſcarce leiſure, if he had been inclined, to ſelect more of the papers of his admired Bacon. Theſe therefore, with the reſt of his manuſcripts, not already depoſited in the library at Lambeth, were left by him in his laſt will, dated the 11th of April 1715, to his chaplain, Dr. Edmund Gibſon, then Rector of Lambeth, and afterwards ſucceſſively Biſhop of Lincoln and London, and to Mr. (afterwards Dr.) Benjam Ibbot, who had ſucceeded Dr. Gibſon as Library-Keeper to his Grace. Dr. Ibbot dying (*e*) many years before Biſhop Gibſon, the whole collection of Archbiſhop Teniſon's papers came under the diſpoſition of that Biſhop, who directed his two executors, the late Dr. Betteſworth, Dean of the Arches, and his eldeſt ſon, George Gibſon, Eſq; to depoſite them, with the addition of many others of his own collecting, in the manuſcript library at Lambeth: and accordingly, after his Lordſhip's death, which happened on the 6th of Sept. 1748, all theſe manuſcripts were delivered by his ſaid executors to Archbiſhop Herring, on the 21ſt of October of that year, and placed in the library on the 23d of February following. But as they lay undigeſted in bundles, and in that condition were neither convenient for uſe,

(*e*) the 11th of April, 1725.

nor

nor ſecure from damage, his Grace the preſent Archbiſhop directed them to be methodized and bound up in volumes with proper indexes, which was done by his learned librarian, Andrew Coltee Ducarel, LL. D. Fellow of the Royal and Antiquarian Societies, to whoſe knowledge, induſtry, and love of hiſtory and antiquities, the valuable library of manuſcripts of the Archiepiſcopal See of Canterbury is highly indebted for the order, in which it is now arranged; and by whoſe obliging and communicating temper it is rendered generally uſeful. Biſhop Gibſon's collection, including what is the chief part of it, that of Archbiſhop Teniſon, fills fourteen large volumes in folio. The eighth of theſe conſiſts merely of Lord Bacon's papers.

Of them principally, the work, which I now offer the public, is formed; nor has any paper been admitted into it that had been publiſhed before, except two of Lord Bacon's letters, which having been diſguiſed and mutilated in all former impreſſions, were thought proper to be reprinted here, together with two other letters of his Lordſhip; one on the remarkable caſe of Peacham, the other accompanying his preſent to King James I. of his *Novum Organum*. Theſe letters I was unwilling to omit, becauſe the collection, in which they have lately appear-

appeared, intitled by the very learned and ingenious editor, Sir David Dalrymple, Bart. *Memorials and Letters relating to the Hiſtory of Britain in the reign of James the Firſt, publiſhed from the Originals*, at Glaſgow 1762, in 8vo, is likely to be much leſs known in England, from the ſmallneſs of the number of printed copies, than it deſerves.

The general rule, which I have preſcribed myſelf, of publiſhing only what is new, reſtrained me from adding thoſe letters written in the earlier part of Mr. Francis Bacon's life, which I had before publiſhed from the originals, found among the papers of his brother Antony, in the *Memoirs of the Reign of Queen Elizabeth, from the Year* 1581 *to her death.*

The example of the greateſt men, in preſerving in their editions of the claſſics the ſmalleſt remains of their writings, will be a full juſtification of my induſtry in collecting and inſerting even the fragments of a writer equal to the moſt valuable of the ancients. Nor will the candid and intelligent object to the leaſt conſiderable of the Duke of Buckingham's letters, ſince they acquire an importance from the rank and character of the writer, as well as from their carrying on the ſeries of his correſpondence, acquainting us with new facts, or aſcertaining

taining old ones with additional evidence and circumſtances, and ſhewing the extent of that authority and influence, which his ſituation, as a favourite, gave him in all parts of the government, even as high as the ſeat of juſtice itſelf.

ERRATA.

P. 6. l. 24. *anchor*, as it is in the original, ſhould probably be *anchorite*.
112. paragr. 3. l. 1. for *Provoſt's* r. *Provoſts*.
218. l. 10. for *Vanbore* r. *Vanlore*.
226. l. 5. for *manes* r. *manos*.
291. note *(t)* inſert, at the beginning of that note, *Either* John Murray, *of the King's Bed-Chamber, mentioned* above, p. 45, note *(r)*; or [Thomas, &c.]
336. l. 16. for *eximendi* r. *erigendi*.

LET-

LETTERS, &c.

OF

Lord Chancellor BACON.

Mr. FRANCIS BACON *to Sir* JOHN PUCKERING, *Lord Keeper of the Great Seal (a).*

My Lord,

IT is a great grief unto me, joined with marvell, that her Majeſty ſhould retain an hard conceit of my ſpeeches in parliament *(b)*. It might pleaſe her ſacred Majeſty to think what my end ſhould be in thoſe ſpeeches, if it were not duty, and duty alone. I am not ſo ſimple, but I know the common beaten way to pleaſe. And whereas popularity hath been objected, I muſe what care I ſhould take to pleaſe many, that take a courſe of life to deal with few. On the other ſide, her Majeſty's grace and particular favour towards me hath been ſuch, as I eſteem no worldly thing above the comfort to enjoy it, except it be the conſcience to deſerve it. But if

(*a*) Harl. MSS. Vol. 286. N° 129. fol. 232.

(*b*) on Wedneſday the 7th of March, 159$\frac{3}{4}$, upon the three ſubſidies demanded of the houſe of commons; to which he aſſented, but not to the payment of them under ſix years, urging the neceſſities of the people, the danger of raiſing public diſcontentment, and the ſetting of an evil precedent againſt themſelves and their poſterity. See Sir Simonds D'Ewes's Journals, p. 493. He ſat in that parliament, which met November 19, 1592, and was diſſolved 10 April, 1593, as one of the knights of the ſhire for Middleſex.

the not ſeconding of ſome particular perſon's opinion ſhall be preſumption, and to differ upon the manner ſhall be to impeach the end; it ſhall teach my devotion not to exceed wiſhes, and thoſe in ſilence. Yet notwithſtanding (to ſpeak vainly as in grief) it may be her Majeſty hath diſcouraged as good a heart as ever looked toward her ſervice, and as void of falſe love. And ſo in more grief than I can well expreſs, and much more than I can well diſſemble, I leave your Lordſhip, being as ever,

Your Lordſhip's intirely devoted, &c.

The firſt copy of my diſcourſe touching the ſafety of the Queen's perſon.

THESE be the principal remedies, I could think of, for extirping the principal cauſe of thoſe conſpiracies, by the breaking the neſt of thoſe fugitive traitors and the filling them full of terror, deſpair, jealouſy and revolt. And it is true, I thought of ſome other remedies, which, becauſe in mine own conceit I did not ſo well allow, I therefore do forbear to expreſs. And ſo likewiſe I have thought, and thought again of the means to ſtop and divert as well the attempts of violence, as poiſon, in the performance and execution. But not knowing how my travell may be accepted, being the unwarranted wiſhes of a private man, I leave; humbly praying her Majeſty's pardon if in the zeal of my ſimplicity I have roved at things above my aim.

The firſt fragments of a diſcourſe, touching intelligence and the ſafety of the Queen's perſon.

THE firſt remedy, in my poor opinion, is that, againſt which, as I conceive, leaſt exception can be taken, as a thing, without controverſy, honourable and

and politic; and that is reputation of good intelligence. I ſay not only *good intelligence*, but the *reputation* and *fame* thereof. For I ſee, that where booths are ſet for watching thieviſh places, there is no more robbing: and though no doubt the watchmen many times are aſleep, or away; yet there is more than the thief knoweth; ſo as the empty booth is ſtrength and ſafeguard enough. So likewiſe, if there be ſown an opinion abroad, that her Majeſty hath much ſecret intelligence, and that all is full of ſpies and falſe brethren; the fugitives will grow into ſuch a mutual jealouſy and ſuſpicion one of another, as they will not have the confidence to conſpire together, not knowing whom to truſt; and thinking all practice bootleſs, as that, which is aſſured to be diſcovered. And to this purpoſe, to ſpeak reverently, as becometh me, as I do not doubt, but thoſe honourable counſellors, to whom it doth appertain, do carefully and ſufficiently provide and take order, that her Majeſty receive good intelligence; ſo yet, under correction, methinks it is not done with that glory and note of the world, which was in Mr. Secretary Walſingham's (*c*) time: and in this caſe, as was ſaid, *opinio veritate major*.

The ſecond remedy I deliver with leſs aſſurance, as that, which is more removed from the compaſs of mine underſtanding: and that is, to treat and negotiate with the King of Spain, or Archduke Erneſt (*d*), who

(*c*) Who died April 6, 1590. After his death the buſineſs of ſecretary of ſtate appears to be chiefly done by Mr. Robert Cecil, who was knighted by Queen Elizabeth at Theobald's, about the beginning of June, 1591, and in Auguſt following ſworn of the privy-council; but not actually appointed ſecretary of ſtate till July 5, 1596.

(*d*) Erneſt, Archduke of Auſtria, ſon of the Emperor Maximilian II, and governor of the Low Countries, upon which government he entered in June, 1594; but held it only a ſhort time, dying February $\frac{1}{21}$ following. It was probably in purſuance of the advice of Mr. Francis Bacon in this paper, that

who reſides in the place, where theſe conſpiracies are moſt forged, upon the point of the law of nations, upon which kind of points, princes enemies may with honour negotiate, viz. that, contrary to the ſacred law of nations, and the ſacred dignity of kings, and the honour of arms, certain of her Majeſty's ſubjects (if it be not thought meet to impeach any of his miniſters) refuged in his dominions, have conſpired and practiſed aſſaſſination againſt her Majeſty's perſon.

(e) *The ſpeeches drawn up by Mr.* FRANCIS BACON *for the Earl of Eſſex in a* device *(f) exhibited by his Lordſhip before Queen* ELIZABETH, *on the anniverſary of her acceſſion to the throne, November* 17. 1595.

The SQUIRE's *ſpeech.*

MOST excellent and moſt glorious Queen, give me leave, I beſeech your Majeſty, to offer my maſter's complaint and petition; complaint, that coming

Queen Elizabeth ſent to the Archduke, in 1594, to complain of the deſigns, which had been formed againſt her life by the Count de Fuentes, and Don Diego de Ibarra, and other Spaniſh miniſters concerned in governing the Low Countries after the death of Alexander Duke of Parma in December 1592, and by the Engliſh fugitives there; and to deſire him to ſignify thoſe facts to the King of Spain, in order that he might vindicate his own character, by puniſhing his miniſters, and delivering up to her ſuch fugitives, as were parties in ſuch deſigns. *Camdeni Annales Eliz. Reginæ*, p. 625. Edit. Lugduni Bat. 1625.

(e) Biſhop Gibſon's Papers, Vol. V. N° 118.

(f) An account of this *device*, which was much applauded, is given by Mr. Rowland Whyte to Sir Robert Sydney, in a letter dated at London, Saturday the 22d of November, 1595, and printed in the *Letters and Memorials of State* of the Sydney Family, Vol. I. p. 362. According to this letter, the Earl of Eſſex, ſome conſiderable time before he came himſelf into the Tilt-yard, ſent his page with ſome ſpeech to the Queen, who returned

coming hither to your Majeſty's moſt happy day, he is tormented with the importunity of a melancholy dreaming hermit, a mutinous brain-ſick ſoldier, and a buſy tedious ſecretary. His petition is, that he may be as free as the reſt; and, at leaſt while he is here, troubled with nothing but with care how to pleaſe and honour you.

returned with her Majeſty's glove; and when his lordſhip came himſelf, he was met by an old hermit, a ſecretary of ſtate, a brave ſoldier, and an eſquire. The firſt preſented him with a book of meditations; the ſecond with political diſcourſes; the third with orations of bravely fought battles; the fourth was his own follower, to whom the other three imparted much of their purpoſe before the Earl came in. "Another, *adds Mr. Whyte*, "deviſed with him, perſuading him to this and that courſe of "life, according to their inclinations. Comes into the Tilt-yard, "unthought upon, the ordinary poſt-boy of London, a ragged "villain, all bemired, upon a poor lean jade, galloping and "blowing for life, and delivered the ſecretary a packet of let-"ters, which he preſently offered my Lord of Eſſex. And with "this dumb ſhew our eyes were fed for that time. In the after-"ſupper, before the Queen, they firſt delivered a well-penned "ſpeech to move this worthy knight to leave his following of "love, and to betake him to heavenly meditation; the ſecre-"tary's all tending to have him follow matters of ſtate; the "ſoldier's perſuading him to the war: but the ſquire anſwered "them all, and concluded with an excellent, but too plain, "Engliſh, that this knight would never forſake his miſtreſs's "love, whoſe virtue made all his thoughts divine; whoſe wiſ-"dom taught him all true policy; whoſe beauty and worth were "at all times able to make him fit to command armies. He "ſhewed all the defects and imperfections of all their times; "and therefore thought his courſe of life to be beſt in ſerving "his miſtreſs." Mr. Whyte then mentions, that the part of the old *hermit* was performed by him, who at Cambridge played that of *Giraldi*; that Morley acted the *ſecretary*; and that the *ſoldier* was repreſented by him, who acted the *pedant*, and that Mr. Tobie Matthew was the *ſquire*. "The world, *ſays Mr.* "*Whyte*, makes many untrue conſtructions of theſe ſpeeches, "comparing the hermit and the ſecretary to two of the lords; "and the ſoldier to Sir Roger Williams. But the Queen ſaid, "that if ſhe had thought there had been ſo much ſaid of her, "ſhe would not have been there that night; and ſo went to "bed."

The HERMIT's *ſpeech in the preſence.*

THOUGH our ends be diverſe, and therefore may be one more juſt than another; yet the complaint of this Squire is general, and therefore alike urged againſt us all. Albeit he is angry, that we offer ourſelves to his maſter uncalled, and forgets we come not of ourſelves, but as the meſſengers of ſelf-love, from whom, all that comes, ſhould be well taken. He ſaith, when we come, we are importunate. If he mean, that we err in form, we have that of his maſter, who being a lover, uſeth no other form of ſoliciting. If he will charge us to err in matter, I for my part will preſently prove, that I perſuade him to nothing but for his own good. For I wiſh him to leave turning over the book of fortune, which is but a play for children; when there be ſo many books of truth and knowledge, better worthy the revolving; and not fix his view only upon a picture in a little table, when there be ſo many tables of hiſtories, yea to life, excellent to behold and admire. Whether he believe me or no, there is no priſon to the priſon of the thoughts, which are free under the greateſt tyrants. Shall any man make his conceit as an anchor, mured up with the compaſs of one beauty or perſon, that may have the liberty of all contemplation? Shall he exchange the ſweet travelling through the univerſal variety, for one wearieſome and endleſs round or labyrinth? Let thy maſter, Squire, offer his ſervice to the *muſes*. It is long ſince they received any into their court. They give alms continually at their gate, that many come to live upon; but few they have ever admitted into their palace. There ſhall he find ſecrets not dangerous to know; ſides and parties not factious to hold; precepts and commandments not penal to diſobey. The gardens of love, wherein he now placeth himſelf,

ſelf, are freſh to day, and fading to-morrow, as the ſun comforts them, or is turned from them. But the gardens of the muſes keep the privilege of the golden age; they ever flouriſh, and are in league with time. The monuments of wit ſurvive the monuments of power. The verſes of a poet endure without a ſyllable loſt, while ſtates and empires paſs many periods. Let him not think he ſhall deſcend; for he is now upon a hill, as a ſhip is mounted upon the ridge of a wave: but that hill of the muſes is above tempeſts, always clear and calm; a hill of the goodlieſt diſcovery, that man can have, being a proſpect upon all the errors and wanderings of the preſent and former times. Yea, in ſome cliff it leadeth the eye beyond the horizon of time, and giveth no obſcure divinations of times to come. So that if he will indeed lead *vitam vitalem*, a life, that unites ſafety and dignity, pleaſure and merit; if he will win admiration without envy; if he will be in the feaſt, and not in the throng; in the light, and not in the heat; let him embrace the life of ſtudy and contemplation. And if he will accept of no other reaſon, yet becauſe the gift of the muſes will enworthy him in love, and where he now looks on his miſtreſs's outſide with the eyes of ſenſe, which are dazzled and amazed, he ſhall then behold her high perfections and heavenly mind with the eyes of judgement, which grow ſtronger by more nearly and more directly viewing ſuch an object.

The SOLDIER's *ſpeech.*

SQUIRE, the good old man hath ſaid well to you; but I dare ſay, thou wouldſt be ſorry to leave to carry thy maſter's ſhield, and to carry his books: and I am ſure thy maſter had rather be a falcon, a bird of prey, than a ſinging bird in a cage. The

muſes are to ſerve martial man, to ſing their famous actions; and not to be ſerved by them. Then hearken to me.

It is the war, that giveth all ſpirits of valour, not only honour, but contentment. For mark, whether ever you did ſee a man grown to any honourable commandment in the wars, but whenſoever he gave it over, he was ready to die with melancholly? Such a ſweet felicity is in that noble exercise, that he, that hath taſted it thoroughly, is diſtaſted for all other. And no marvell; for if the hunter takes ſuch ſolace in his chace; if the matches and wagers of ſport paſs away with ſuch ſatisfaction and delight; if the looker on be affected with pleaſure in the repreſentation of a feigned tragedy; think what contentment a man receiveth, when they, that are equal to him in nature, from the hight of inſolency and fury are brought to the condition of a chaced prey; when a victory is obtained, whereof the victories of games are but counterfeits and ſhadows; and when, in a lively tragedy, a man's enemies are ſacrificed before his eyes to his fortune.

Then for the dignity of military profeſſion, is it not the trueſt and perfecteſt practice of all virtues? of wiſdom, in diſpoſing thoſe things, which are moſt ſubject to confuſion and accident: of juſtice, in continual diſtributing rewards: of temperance, in exerciſing of the ſtraiteſt diſcipline: of fortitude, in toleration of all labours and abſtinence from effeminate delights: of conſtancy, in bearing and digeſting the greateſt variety of fortune. So that when all other places and profeſſions require but their ſeveral virtues, a brave leader in the wars muſt be accompliſhed with all. It is the wars, that are the tribunal ſeat, where the higheſt rights and poſſeſſions are decided; the occupation of kings, the root of nobility, the protection of all eſtates. And laſtly, lovers never thought their profeſſion ſufficiently graced, till they

they have compared it to a warfare. All, that in any other profeſſion can be wiſhed for, is but to live happily: but to be a brave commander in the field, death itſelf doth crown the head with glory. Therefore, Squire, let thy maſter go with me; and though he be reſolved in the purſuit of his love, let him aſpire to it by the nobleſt means. For ladies count it no honour to ſubdue them with their faireſt eyes, which will be daunted with the fierce encounter of an enemy. And they will quickly diſcern a champion fit to wear their glove from a page not worthy to carry their pantofle. Therefore I ſay again, let him ſeek his fortune in the field, where he may either loſe his love, or find new argument to advance it.

The STATESMAN's *ſpeech.*

SQUIRE, my advice to thy maſter ſhall be as a token wrapped up in words; but then will it ſhew itſelf fair, when it is unfolded in his actions. To wiſh him to change from one humour to another, were but as if, for the cure of a man in pain, one ſhould adviſe him to lie upon the other ſide, but not enable him to ſtand on his feet. If from a ſanguine delightful humour of love, he turn to a melancholy retired humour of contemplation, or a turbulent boiling humour of the wars; what doth he but change tyrants? Contemplation is a dream; love a trance; and the humour of war is raving. Theſe be ſhifts of humour, but no reclaiming to reaſon. I debar him not ſtudies nor books, to give him ſtay and variety of conceit, to refreſh his mind, to cover ſloth and indiſpoſition, and to draw to him from thoſe, that are ſtudious, reſpect and commendation. But let him beware, leſt they poſſeſs not too much of his time; that they abſtract not his judgement from preſent experience, nor make him preſume upon knowing

knowing much, to apply the leſs. For the wars, I deny him no enterpriſe, that ſhall be worthy in greatneſs, likely in ſucceſs, or neceſſary in duty; not mixed with any circumſtance of jealouſy, but duly laid upon him. But I would not have him take the alarm from his own humour, but from the occaſion; and I would again he ſhould know employment from a diſcourting. And for his love, let it not diſarm his heart within, as it make him too credulous to favours, nor too tender to unkindneſſes, nor too apt to depend upon the heart he knows not. Nay, in his demonſtration of love, let him not go too far; for theſe feely lovers, when they profeſs ſuch infinite affection and obligation, they tax themſelves at ſo high a rate, that they are ever under arreſt. It makes their ſervice ſeem nothing, and every travail or imputation very great. But what, Squire, is thy maſter's end? If to make the prince happy he ſerves, let the inſtructions to employ men, the relations of ambaſſadors, the treaties between princes, and actions of the preſent time, be the books he reads: let the orations of wiſe princes, or experienced counſellors in council or parliament, and the final ſentences of grave and learned judges in weighty and doubtful cauſes, be the lecturers he frequents. Let the holding of affection with confederates without charge, the fruſtrating of the attempts of enemies without battles, the intitling of the crown to new poſſeſſions without ſhew of wrong, the filling of the prince's coffers without violence, the keeping of men in appetite without impatience, be the inventions he ſeeks out. Let policy and matters of ſtate be the chief, and almoſt the only thing, he intends. But if he will believe *Philautia*, and ſeek moſt his own happineſs, he muſt not of them embrace all kinds, but make choice, and avoid all matter of peril, diſpleaſure, and charge, and turn them over to ſome novices, that know not manacles from bracelets,

lets, nor burdens from robes. For himſelf, let him ſet for matters of commodity and ſtrength, though they be joined with envy. Let him not trouble himſelf too laboriouſly to ſound into any matter deeply, or to execute any thing exactly; but let himſelf make himſelf cunning rather in the humours and drifts of perſons, than in the nature of buſineſs and affairs. Of that it ſufficeth to know only ſo much, as may make him able to make uſe of other men's wits, and to make again a ſmooth and pleaſing report. Let him entertain the propoſition of others, and ever rather let him have an eye to the circumſtances, than to the matter itſelf; for then ſhall he ever ſeem to add ſomewhat of his own: and beſides, when a man doth not forget ſo much as a circumſtance, men do think his wit doth ſuperabound for the ſubſtance. In his counſels let him not be confident; for that will rather make him obnoxious to the ſucceſs; but let him follow the wiſdom of oracles, which uttered that, which might ever be applied to the event. And ever rather let him take the ſide, which is likelieſt to be followed, than that which is ſoundeſt and beſt, that every thing may ſeem to be carried by his direction. To conclude, let him be true to himſelf, and avoid all tedious reaches of ſtate, that are not merely pertinent to his particular. And if he will needs purſue his affection, and go on his courſe, what can ſo much advance him in his own way? The merit of war is too outwardly glorious to be inwardly grateful: and it is the exile of his eyes, which looking with ſuch affection upon the picture, cannot but with infinite contentment behold the life. But when his miſtreſs ſhall perceive, that his endeavours are become a true ſupport of her, a diſcharge of her care, a watchman of her perſon, a ſcholar of her wiſdom, an inſtrument of her operation, and a conduit of her virtue; this, with his diligences, acceſſes, humility, and patience, may

move him to give her further degrees and approaches to her favour. So that I conclude, I have traced him the way to that, which hath been granted to ſome few, *amare et ſapere*, to love and be wiſe.

The reply of the SQUIRE.

WANDERING Hermit, ſtorming Soldier, and hollow Stateſman, the inchanting orators of *Philautia*, which have attempted by your high charms to turn reſolved *Erophilus* into a ſtatue deprived of action, or into a vulture attending about dead bodies, or into a monſter with a double heart; with infinite aſſurance, but with juſt indignation, and forced patience, I have ſuffered you to bring in play your whole forces. For I would not vouchſafe to combat you one by one, as if I truſted to the goodneſs of my breath, and not the goodneſs of my ſtrength, which little needeth the advantage of your ſevering, and much leſs of your diſagreeing. Therefore, firſt, I would know of you all what aſſurance you have of the fruit, whereto you aſpire.

You, Father, that pretend to truth and knowledge, how are you aſſured, that you adore not vain chimæra's and imaginations? that in your high proſpect, when you think men wander up and down; that they ſtand not indeed ſtill in their place? and it is ſome ſmoke or cloud between you and them, which moveth, or elſe the dazzling of your own eyes? Have not many, which take themſelves to be inward counſellors with nature, proved but idle believers, which told us tales, which were no ſuch matter? And, Soldier, what ſecurity have you for theſe victories and garlands, which you promiſe to yourſelf? Know you not of many, which have made proviſion of laurel for the victory, and have been fain to exchange it with cypreſs for the funeral? of many;

which have beſpoken fame to ſound their triumphs, and have been glad to pray her to ſay nothing of them, and not to diſcover them in their flights?

Corrupt Stateſman, you that think by your engines and motions to govern the wheel of fortune; do you not mark, that clocks cannot be long in temper? that jugglers are no longer in requeſt, when their tricks and ſlights are once perceived? Nay, do you not ſee, that never any man made his own cunning and practice (without religion and moral honeſty) his foundation, but he overbuilt himſelf, and in the end made his houſe a windfall? But give ear now to the compariſon of my maſter's condition, and acknowledge ſuch a difference, as is betwixt the melting hail-ſtone and the ſolid pearl. Indeed it ſeemeth to depend, as the globe of the earth ſeemeth to hang, in the air; but yet it is firm and ſtable in itſelf. It is like a cube, or a die-form, which toſs it or throw it any way, it ever lighteth upon a ſquare. Is he denied the hopes of favours to come? He can reſort to the remembrance of contentments paſt. Deſtiny cannot repeal that, which is paſt. Doth he find the acknowledgement of his affection ſmall? He may find the merit of his affection the greater. Fortune cannot have power over that, which is within. Nay, his falls are like the falls of Antæus; they renew his ſtrength. His clouds are like the clouds of harveſt, which makes the ſun break forth with greater force. His wanes are changes like the moon's, whoſe globe is all light towards the ſun, when it is all dark towards the world; ſuch is the excellency of her nature, and of his eſtate. Attend, you beadſman of the muſes, you take your pleaſure in a wilderneſs of variety; but it is but of ſhadows. You are as a man rich in pictures, medals, and cryſtals. Your mind is of the water, which taketh all forms and impreſſions, but is weak of ſubſtance. Will you compare ſhadows with bodies, picture

with

with life, variety of many beauties with the peerleſs excellency of one? the element of water with the element of fire? And ſuch is the compariſon between knowledge and love.

Come out, Man of war; you muſt be ever in noiſe. You will give laws, and advance force, and trouble nations, and remove land-marks of kingdoms, and hunt men, and pen tragedies in blood: and that, which is worſt of all, make all the virtues acceſſary to bloodſhed. Hath the practice of force ſo deprived you of the uſe of reaſon, as that you will compare the interruption of ſociety with the perfection of ſociety? the conqueſt of bodies with the conqueſt of ſpirits? the terreſtrial fire, which deſtroyeth and diſſolveth, with the celeſtial fire, which quickeneth and giveth life? And ſuch is the compariſon between the ſoldier and the lover.

And as for you, untrue Politique, but trueſt bondman to *Philautia*, you, that preſume to bind occaſion, and to overwork fortune, I would aſk you but one queſtion. Did ever any lady, hard to pleaſe, or diſpoſed to exerciſe her lover, injoin him ſo good taſks and commandments, as *Philautia* exacteth of you? While your life is nothing but a continual acting upon a ſtage; and that your mind muſt ſerve your humour, and yet your outward perſon muſt ſerve your end; ſo as you carry in one perſon two ſeveral ſervitudes to contrary maſters. But I will leave you to the ſcorn of that miſtreſs, whom you undertake to govern; that is, to fortune, to whom *Philautia* hath bound you. And yet, you commiſſioner of *Philautia*, I will proceed one degree farther if I allowed both of your aſſurance, and of your values, as you have ſet them, may not my maſter enjoy his own felicity; and have all yours for advantage? I do not mean, that he ſhould divide himſelf in both purſuits, as in your feigning tales towards the concluſion you did yield him; but becauſe

all theſe are in the hands of his miſtreſs more fully to beſtow, than they can be attained by your addreſſes, knowledge, fame, fortune. For the *muſes*, they are tributary to her Majeſty for the great liberties they have enjoyed in her kingdom, during her moſt flouriſhing reign; in thankfulneſs whereof, they have adorned and accompliſhed her Majeſty with the gifts of all the ſiſters. What library can preſent ſuch a ſtory of great actions, as her Majeſty carrieth in her royal breaſt by the often return of this happy day? What worthy author, or favourite of the muſes, is not familiar with her? Or what language, wherein the muſes have uſed to ſpeak, is unknown to her? Therefore, the hearing of her, the obſerving of her, the receiving inſtructions from her, may be to *Erophilus* a lecture exceeding all dead monuments of the muſes. For *Fame*, can all the exploits of the war win him ſuch a title, as to have the name of favoured and ſelected ſervant of ſuch a Queen? For *Fortune*, can any inſolent politique promiſe to himſelf ſuch a fortune, by making his own way, as the excellency of her nature cannot deny to a careful, obſequious, and dutiful ſervant? And if he could, were it equal honour to obtain it by a ſhop of cunning, as by the gift of ſuch a hand?

Therefore *Erophilus*'s reſolution is fixed: he renounceth *Philautia*, and all her inchantments. For his recreation, he will confer with his muſe: for her defence and honour, he will ſacrifice his life in the wars, hoping to be embalmed in the ſweet odours of her remembrance. To her ſervice will he conſecrate all his watchful endeavours, and will ever bear in his heart the picture of her beauty; in his actions, of her will; and in his fortune, of her grace and favour.

To Sir THOMAS EGERTON, *Lord Keeper of the Great Seal (g).*

It may pleaſe your Lordſhip,

I AM to make humble complaint to your Lordſhip of ſome hard dealing offered me by one Sympſon, a goldſmith, a man noted much, as I have heard, for extremities and ſtoutneſs upon his purſe: but yet I could ſcarcely have imagined, he would have dealt either ſo diſhoneſtly towards myſelf, or ſo contemptuouſly towards her Majeſty's ſervice. For this Lombard (pardon me, I moſt humbly pray your Lordſhip, if being admoniſhed by the ſtreet he dwells in, I give him that name) having me in bond for 300 l. principal, and I having the laſt term confeſſed the action, and by his full and direct conſent, reſpited the ſatisfaction till the beginning of this term to come, without ever giving me warning, either by letter or meſſage, ſerved an execution upon me, having trained me at ſuch time, as I came from the Tower, where, Mr. Waad can witneſs, we attended a ſervice of no mean importance (*h*). Neither would he

(*g*) From the original in the Hatfield Collection of State Papers, communicated to me by the Rev. William Murdin, B. D. and intended by him for the public in a third volume of the collection of thoſe papers, if his death had not prevented him from executing his deſign.

(*h*) It is not eaſy to determine what this ſervice was; but it ſeems to relate to the examination of ſome priſoner; perhaps Edward Squire, executed in November, 1598, for poiſoning the Queen's ſaddle; or Valentine Thomas, who accuſed the King of Scots of practices againſt Queen Elizabeth [*Hiſtorical View*, p. 178.] or one Stanley; concerning whom I ſhall inſert here paſſages from two MS. letters of John Chamberlain, Eſq; to his friend, Dudley Carleton, Eſq; afterwards ambaſſador to Venice, the United Provinces, and France; theſe letters being part of a very large collection, from 1598 to 1625, which I tranſcribed from the originals. "One Stanley, *ſays Mr. Cham-*
" *berlain*,

he ſo much as vouchſafe to come and ſpeak with me to take any order in it, though I ſent for him divers times, and his houſe was juſt by; handling it as upon a deſpite, being a man I never provoked with a croſs word, no nor with many delays. He would have urged it to have had me in priſon; which he had done, had not Sheriff More, to whom I ſent, gently recommended me to an handſome houſe in Coleman-ſtreet, where I am. Now becauſe he will not treat with me, I am inforced humbly to deſire your Lordſhip to ſend for him, according to your place, to bring him to ſome reaſon; and this forthwith, becauſe I continue here to my farther diſcredit and inconvenience, and the trouble of the gentleman, with whom I am. I have an hundred pounds lying by me, which he may have, and the reſt upon ſome reaſonable time and ſecurity; or, if need be, the whole; but with my more trouble. As for the contempt he hath offered, in regard her Majeſty's

'*berlain, in his letter dated at London, 3 October*, 1598, that 'came in ſixteen days over land with letters out of Spain, is 'lately committed to the Tower. He was very earneſt to have 'private conference with her Majeſty, pretending matter of 'great importance, which he would by no means utter to any 'body elſe." In another letter, dated 20 November, 1598, Mr. Chamberlain obſerves, that on "the day, that they looked 'for Stanley's arraignment, he came not himſelf, but ſent his forerunner, one Squire, that had been an under-purveyor of the ſtable, who being in Spain was dealt withall by one Walpole, a Jeſuit, to poiſon the Queen and the Earl of Eſſex; and accordingly came prepared into England, and went with the Earl in his own ſhip the laſt journey, and poiſoned the arms or handles of the chair he uſed to ſit in, with a confection he had received of the Jeſuit; as likewiſe he had done the pummel of the Queen's ſaddle not paſt five days before his going to ſea. But becauſe nothing ſucceeded of it, the prieſt thinking he had either changed his purpoſe, or betrayed it, gave Stanley inſtructions to accuſe him; thereby to get him more credit, and to be revenged of Squire for breaking promiſe. The fellow confeſſed the whole practice, and, as it ſeemed, died very penitent."

C ſervice,

ſervice, to my underſtanding, carrieth a privilege *eundo et redeundo* in meaner cauſes, much more in matters of this nature, eſpecially in perſons known to be qualified with that place and employment, which, though unworthy, I am vouchſafed, I inforce nothing, thinking I have done my part, when I have made it known; and ſo leave it to your Lordſhip's honourable conſideration. And ſo with ſignification of my humble duty, &c.

To Sir ROBERT CECIL, *Secretary of State* (*i*).

It may pleaſe your Honour,

I Humbly pray you to underſtand how badly I have been uſed by the incloſed, being a copy of a letter of complaint thereof, which I have written to the Lord Keeper. How ſenſitive you are of wrongs offered to your blood in my particular, I have had not long ſince experience. But herein I think your Honour will be doubly ſenſitive, in tenderneſs alſo of the indignity to her Majeſty's ſervice. For as for me, Mr. Sympſon might have had me every day in London; and therefore to belay me, while he knew I came from the Tower about her Majeſty's ſpecial ſervice, was to my underſtanding very bold. And two days before he brags he forbore me, becauſe I dined with Sheriff More. So as with Mr. Sympſon, examinations at the Tower are not ſo great a privilege, *eundo et redeundo*, as Sheriff More's dinner. But this complaint I make in duty; and to that end have alſo informed my Lord of Eſſex thereof; for otherwiſe his puniſhment will do me no good.

(*i*) From the Hatfield Collection.

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So with ſignification of my humble duty, I commend your Honour to the divine preſervation.

From Coleman-ſtreet, this 24th of September [1598.]

At your honourable command particularly,

FR. BACON.

The Subſtance of a Letter I (k) now wiſh your Lordſhip (l) ſhould write to her Majeſty.

THAT you deſire her Majeſty to believe *id, quod res ipſa loquitur*, that it is not conſcience to yourſelf of any advantage her Majeſty hath towards you, otherwiſe than the general and infinite advantage of a queen and a miſtreſs; nor any drift or device to win her Majeſty to any point or particular, t'wards moveth you to ſend her theſe lines of your own mind. But firſt, and principally, gratitude; next a natural deſire of, you will not ſay, the tedious remembrance, for you can hold nothing tedious, that hath been derived from her Majeſty; but the troubled and penſive remembrance of that, which is paſt, of enjoying better times with her Majeſty, ſuch as others have had, and that you have wanted. You cannot impute the difference to the continuance of time, which addeth nothing to her Majeſty but increaſe of virtue; but rather to your own misfortune or errors. Wherein nevertheleſs, if it were only queſtion of your own indurances, though any ſtrength never ſo good may be oppreſſed, yet you think you ſhould have ſuffocated them, as you had often done, to the impairing of your health, and weighing down of your mind. But that, which indeed toucheth the quick, is that, whereas you accounted it the choice fruit of yourſelf

(k) Francis Bacon. (l) Robert Earl of Eſſex.

to be a contentment and entertainment to her Majeſty's mind, you found many times to the contrary, that you were rather a diſquiet to her, and a diſtaſte.

Again, whereas in the courſe of her ſervice, though you confeſs the weakneſs of your own judgement, yet true zeal, not miſled with any mercenary nor glorious reſpect, made you light ſometimes upon the beſt and ſoundeſt counſels; you had reaſon to fear, that the diſtaſte particular againſt yourſelf made her Majeſty farther off from accepting any of them from ſuch a hand. So as you ſeemed, to your deep diſcomfort, to trouble her Majeſty's mind, and to foil her buſineſs; inconveniencies, which, if you be minded as you ought, thankfulneſs ſhould teach you to redeem, with ſtepping down, nay throwing yourſelf down, from your own fortune. In which intricate caſe, finding no end of this former courſe, and therefore deſirous to find the beginning of a new, you have not whither to reſort, but unto the oracle of her Majeſty's direction. For though the true introduction *ad tempora meliora* be by an *amneſtia* of that, which is paſt, except it be in the ſenſe, that the verſe ſpeaketh, *Olim hæc meminiſſe juvabit*, when tempeſts paſt are remembered in the calm; and that you do not doubt of her Majeſty's goodneſs in pardoning and obliterating any of your errors and miſtakings heretofore; refreſhing the memory and contemplations of your poor ſervices, or any thing that hath been gratefull to her Majeſty from you; yea, and ſomewhat of your ſufferings; ſo though that be, yet you may be to ſeek for the time to come. For as you have determined your hope in a good hour, not willingly to offend her Majeſty, either in matter of court or ſtate, but to depend abſolutely upon her will and pleaſure; ſo you do more doubt and miſtruſt your wit and inſight in finding her Majeſty's mind, than your conformities and ſubmiſſion in obeying it; the rather, becauſe you cannot but nouriſh a doubt

in your breaſt, that her Majeſty, as princes hearts are inſcrutable, hath many times towards you *aliud in ore, et aliud in corde.* So that you, that take her *ſecundum literam*, go many times farther out of your way.

Therefore your moſt humble ſuit to her Majeſty is, that ſhe will vouchſafe you that approach to her heart, and boſom, *et ad ſcrinium pectoris*, plainly, for as much as concerneth yourſelf, to open and expound her mind towards you, ſuffering you to ſee clear what may have bred any diſlike in her Majeſty; and in what points ſhe would have you reform yourſelf; and how ſhe would be ſerved by you. Which done, you do aſſure her Majeſty, ſhe ſhall be both at the beginning and the ending of all, that you do, of that regard, as you may preſume to impart to her Majeſty.

And ſo that hoping, that this may be an occaſion of ſome farther ſerenity from her Majeſty towards you, you refer the reſt to your actions, which may verify what you have written; as that you have written may interpret your actions, and the courſe you ſhall hereafter take.

Indorſed by Mr. Francis Bacon,

A letter framed for my Lord of Eſſex to the Queen.

To Mr. Secretary CECIL (*m*).

It may pleaſe your Honour,

BECAUSE we live in an age, where every man's imperfections is but another's fable; and that here fell out an accident in the Exchequer, which I know not how, nor how ſoon, may be traduced, though there truſt rumour in it, except it be malicious, or extreme partial; I am bold now to poſſeſs your

(*m*) From the Hatfield Collection.

Honour, as one, that ever I found careful of my advancement, and yet more jealous of my wrongs, with the truth of that, which paſſed; deferring my farther requeſt, untill I may attend your honour: and ſo I continue

Your Honour's very humble

Gray's-Inn, this 24th of April, 1601.

and particularly bounden,

FR. BACON.

A true remembrance of the abuſe I received of Mr. Attorney General (n) publicly in the Exchequer the firſt day of term; for the truth whereof I refer myſelf to all that were preſent.

I Moved to have a reſeizure of the lands of Geo. Moore, a relapſed recuſant, a fugitive, and a practiſing traytor; and ſhewed better matter for the Queen againſt the diſcharge by plea, which is ever with a *falvo jure*. And this I did in as gentle and reaſonable terms as might be.

Mr. Attorney kindled at it, and ſaid, "Mr. Bacon, "if you have any tooth againſt me, pluck it out; for "it will do you more hurt, than all the teeth in your "head will do you good." I anſwered coldly in theſe very words: "Mr. Attorney, I reſpect you: I fear "you not: and the leſs you ſpeak of your own great-"neſs, the more I will think of it."

He replied, "I think ſcorn to ſtand upon terms "of greatneſs towards you, who are leſs than little; "leſs than the leaſt;" and other ſuch ſtrange light terms he gave me, with that inſulting, which cannot be expreſſed.

(n) Edward Coke, knighted by King James at Greenwich in 1603; and made Lord Chief Juſtice of the Common Pleas, 30 June, 1606.

H...

Herewith ſtirred, yet I ſaid no more but this: "Mr. Attorney, do not depreſs me ſo far; for I have "been your better, and may be again, when it pleaſe "the Queen."

With this he ſpake, neither I nor himſelf could tell what, as if he had been born Attorney General; and in the end bade me not meddle with the Queen's buſineſs, but with mine own; and that I was unſworn, &c. I told him, ſworn or unſworn was all one to an honeſt man; and that I ever ſet my ſervice firſt, and myſelf ſecond; and wiſh'd to God, that he would do the like.

Then he ſaid, it were good to clap a *cap. utlegatum* upon my back! To which I only ſaid he could not; and that he was at a fault; for he hunted upon an old ſcent.

He gave me a number of diſgracefull words beſides; which I anſwered with ſilence, and ſhewing, that I was not moved with them.

To ROBERT, *Lord* CECIL (*o*).

It may pleaſe your good Lordſhip,

THEY ſay late thanks are ever beſt. But the reaſon was, I thought to have ſeen your Lordſhip ere this. Howſoever I ſhall never forget this your laſt favour amongſt others; and it grieveth me at a little, that I find myſelf of no uſe to ſuch an honourable and kind friend.

For that matter, I think, I ſhall deſire your aſſiſtance for the puniſhment of the contempt; not that I would uſe the privilege in future time, but becauſe I would not have the dignity of the King's ſervice prejudiced in my inſtance. But herein I will be ruled by your Lordſhip.

(*o*) From the Hatfield Collection.

It is fit likewiſe, though much againſt my mind, that I let your Lordſhip know, that I ſhall not be able to pay the money within the time by your Lordſhip undertaken, which was a fortnight. Nay money I find ſo hard to come by at this time, as I thought to have become an humble ſuitor to your Honour to have ſuſtained me with your credit for the preſent from urgent debts with taking up 300 l. till I can put away ſome land. But I am ſo forward with ſome ſales, as this requeſt, I hope, I may forbear.

For my eſtate (becauſe your Honour hath care of it) it is thus: I ſhall be able with ſelling the ſkirts of my living in Hertfordſhire (*p*) to preſerve the body; and to leave myſelf, being clearly out of debt, and having ſome money in my pocket, 300 l. land *per ann.* with a fair houſe, and the ground well timbered. This is now my labour.

For my purpoſe or courſe, I deſire to meddle, as little as I can, in the King's cauſes, his Majeſty now abounding in council; and to follow my private thrift and practiſe, and to marry with ſome convenient advancement. For as for any ambition, I do aſſure your Honour, mine is quenched. In the Queen's, my excellent miſtreſs's, time, the *quorum* was ſmall: her ſervice was a kind of freehold, and it was a more ſolemn time. All thoſe points agreed with my nature and judgement. My ambition now I ſhall only put upon my pen, whereby I ſhall be able to maintain memory and merit of the times ſucceeding.

Lastly, for this divulged and almoſt proſtituted title of knighthood, I could without charge, by your Honour's mean, be content to have it, both becauſe of this late diſgrace, and becauſe I have three new knights in my meſs in Gray's Inn commons; and becauſe I have found out an alderman's daughter (*q*), an

(*p*) Gorhambury.

(*q*) Probably the lady, whom he afterwards married, Alice, one

an handſome maiden, to my liking. So as if your Honour will find the time, I will come to the court from Gorhambury upon any warning.

How my ſales go forward, your Lordſhip ſhall in a few days hear. Mean while, if you will not be pleaſed to take farther day with this lewd fellow; I hope your Lordſhip will not ſuffer him to take any part of the penalty, but principal, intereſt, and coſts.

So I remain your Lordſhip's moſt bounden,

3 July, 1603. FR. BACON.

To the ſame.

It may pleaſe your good Lordſhip,

IN anſwer of your laſt letter, your money ſhall be ready before your day, principal, intereſt, and coſts of ſuit. So the ſheriff promiſed, when I releaſed errors; and a Jew takes no more. The reſt cannot be forgotten; for I cannot forget your Lordſhip's *dum memor ipſe mei:* and if there have been *aliquid nimis*, it ſhall be amended. And, to be plain with your Lordſhip, that will quicken me now, which ſlackened me before. Then I thought you might have had more uſe of me, than now, I ſuppoſe, you are like to have. Not but I think the impediment will be rather in my mind, than in the matter or times. But to do you ſervice, I will come out of my religion at any time.

For my knighthood (*r*), I wiſh the manner might be ſuch, as might grace me, ſince the matter will

one of the daughters and coheirs of Benedict Barnham, Eſq; alderman of London. She ſurviv'd her huſband above twenty years. *Life of Lord Bacon, by Dr. William Rawley.*

(*r*) He was knighted at Whitehall, 23 July, 1603.

not:

not: I mean, that I might not be merely gregarious in a troop. The coronation (s) is at hand. It may pleaſe your Lordſhip to let me hear from you ſpeedily. So I continue

Your Lordſhip's

From Gorhambury, this 16th of July, 1603.

ever much bounden,

FR. BACON.

To ISAAC CASAUBON (t).

CUM ex literis, quas ad Dominum Carew miſiſti, cognoſcam ſcripta mea à te probari, et mihi de judicio tuo gratulatus ſum, et tibi, quam ea res mihi fuerit voluptati, ſcribendum exiſtimavi. Atque illud etiam de me recte auguraris, me ſcientias ex latebris in lucem extrahere vehementer cupere. Neque enim multum intereſt ea per otium ſcribi, quæ per otium legantur; ſed plane vitam, et res humanas, et medias earum turbas, per contemplationes ſanas et veras inſtructiores eſſe volo. Quanta autem in hoc genere aggrediar, et quam parvis præſidiis, poſtmodum fortaſſe reſciſces. Etiam tu pariter gratiſſimum mihi facies, ſi quæ in animo habes atque moliris et agitas, mihi nota eſſe velis. Nam conjunctionem animorum et ſtudiorum plus facere ad amicitias judico, quam civiles neceſſitates et occaſionum officia. Equidem exiſtimo neminem unquam magis verè potuiſſe dicere de ſeſe, quam me ipſum, illud quod habet pſalmus, *multum incola fuit anima*

(s) It was ſolemniſed, 24 July, 1603.

(t) This letter appears to have been written after Sir George Carew, mention'd in it, return'd from his embaſſy in France, in October, 1609; and before the arrival of Caſaubon in England, in Octob. 1610.

mea.

mea. Itaque magis videor cum antiquis verſari, quam cum his, quibuſcum vivo. Quid ni etiam poſſim cum abſentibus potius verſari, quam cum iis, qui præſto ſunt; et magis electione in amicitiis uti, quam occaſionibus de more ſubmitti? Verum ad inſtitutum revertor ego; ſi quâ in re amicitia mea tibi aut tuis uſui aut ornamento eſſe poſſit, tibi operam meam bonam atque navam polliceor. Itaque ſalutem tibi dicit

Amicus tuus, &c.

Indors'd, *To Caſaubon.*

The beginning of a letter immediately after my Lord Treaſurer's (u) deceaſe (w).

May 29, 1612.

It may pleaſe your Majeſty,

IF I ſhall ſeem in theſe few lines to write *majora quam pro fortunâ*, it may pleaſe your Majeſty to take it to be an effect, not of preſumption, but of affection. For of the one I was never noted; and for the other I could never ſhew it hitherto to the full; being as a hawk tied to another's fiſt, that might ſometimes bait and proffer, but could never fly. And therefore if, as it was ſaid to one, that ſpoke great words, *Amice, verba tua deſiderant civitatem* (x), ſo your Majeſty ſay to me, "Bacon, your words re-"quire a place to ſpeak them;" I muſt anſwer, that place, or not place, is in your Majeſty to add or refrain: and though I never grow eager but to ****** yet your Majeſty———

(u) Robert Earl of Saliſbury, who died 24 May, 1612.

(w) The draught of this imperfect letter is written chiefly in Greek characters.

(x) Theſe words of Themiſtocles, are cited likewiſe by Lord Bacon at the end of his book *De Augmentis Scientiarum*.

To

To the KING, *immediately after the Lord Treaſurer's death.*

31 *May*, 1612.

It may pleaſe your excellent Majeſty,

I Cannot but endeavour to merit, conſidering your preventing graces, which is the occaſion of theſe few lines.

Your Majeſty hath loſt a great ſubject and a great ſervant. But, if I ſhould praiſe him in propriety, I ſhould ſay, that he was a fit man to keep things from growing worſe; but no very fit man to reduce things to be much better. For he loved to have the eyes of all Iſrael a little too much on himſelf, and to have all buſineſs ſtill under the hammer; and, like clay in the hands of the potter, to mould it as he thought good; ſo that he was more *in operatione* than *in opere*. And though he had fine paſſages of action, yet the real concluſions came ſlowly on. So that although your Majeſty hath grave counſellors and worthy perſons left; yet you do, as it were, turn a leaf, wherein if your Majeſty ſhall give a frame and conſtitution to matters, before you place the perſons, in my ſimple opinion it were not amiſs. But the great matter, and moſt inſtant for the preſent, is the conſideration of a parliament, for two effects: the one, for the ſupply of your eſtate; the other, for the better knitting of the hearts of your ſubjects unto your Majeſty, according to your infinite merit; for both which, parliaments have been, and are, the ancient and honourable remedy.

Now becauſe I take myſelf to have a little ſkill in that region, as one, that ever affected, that your Majeſty might, in all your cauſes, not only prevail, but prevail with ſatisfaction of the inner man; and though no man can ſay but I was a perfect and peremptory

tory royaliſt, yet every man makes me believe, that I was never one hour out of credit with the lower houſe: my deſire is to know, whether your Majeſty will give me leave to meditate and propound unto you ſome preparative remembrances, touching the future parliament.

Your Majeſty may truly perceive, that, though I cannot challenge to myſelf either invention, or judgement, or elocution, or method, or any of thoſe powers; yet my offering is care and obſervance: and, as my good old miſtreſs was wont to call me her watch-candle, becauſe it pleaſed her to ſay, I did continually burn (and yet ſhe ſuffered me to waſt almoſt to nothing;) ſo I muſt much more owe the like duty to your Majeſty, by whom my fortunes have been ſettled and raiſed. And ſo craving pardon, I reſt,

Your Majeſty's moſt humble ſervant devote,

F. B.

To the KING.

It may pleaſe your excellent Majeſty,

MY principal end being to do your Majeſty ſervice, I crave leave to make at this time to your Majeſty this moſt humble oblation of myſelf. I may truly ſay with the pſalm, *Multum incola fuit anima mea*; for my life hath been converſant in things, wherein I take little pleaſure. Your Majeſty may have heard ſomewhat, that my father was an honeſt man; and ſomewhat yet I may have been of myſelf, though not to make any true judgement by, becauſe I have hitherto had only *poteſtatem verborum*, nor that neither. I was three of my young years bred with an

an ambaſſador (y) in France, and ſince I have been an old truant in the ſchool-houſe of your council-chamber, though on the ſecond form; yet longer than any, that now ſitteth, hath been in the head form. If your Majeſty find any aptneſs in me, or if you find any ſcarcity in others, whereby, you may think it fit for your ſervice to remove me to buſineſs of ſtate, although I have a fair way before me for profit, and, by your Majeſty's grace and favour, for honour and advancement, and in a courſe leſs expoſed to the blaſt of fortune; yet now that he (z) is gone, *quo vivente virtutibus certiſſimum exitium*, I will be ready as a cheſſman to be wherever your Majeſty's royal hand ſhall ſet me. Your Majeſty will bear me witneſs, I have not ſuddenly opened myſelf thus far. I have looked on upon others. I ſee the exceptions; I ſee the diſtractions; and I fear Tacitus will be a prophet, *magis alii homines, quam alii mores.* I know mine own heart; and I know not, whether God, that hath touched my heart with the affection, may not touch your royal heart to diſcern it. Howſoever, I ſhall go on honeſtly in mine ordinary courſe, and ſupply the reſt in prayers for you, remaining, &c.

To the KING (a).

*** Laſtly, I will make two prayers unto your Majeſty, as I uſed to do to God Almighty, when I commend to him his own glory and cauſe; ſo I will pray to your Majeſty for yourſelf.

The one is, that theſe cogitations of want do not any ways trouble or vex your mind. I remember,

(y) Sir Amias Poulet, who was ſent ambaſſador to France, in September, 1576. He was ſucceeded by Sir Edward Stafford, in December, 1578.

( ) Lord Treaſurer Saliſbury.

(a) The beginning of this letter is wanting.

Moſes ſaith of the land of promiſe, that it was not like the land of Egypt, that was watered with a river, but was watered with ſhowers from heaven; whereby I gather, God preferreth ſometimes uncertainties before certainties, becauſe they teach a more immediate dependance upon his providence. Sure I am, *nil novi accidit vobis.* It is for no new thing for the greateſt Kings to be in debt: and, if a man ſhall *parvis componere magna*, I have ſeen an Earl of Leiceſter, a Chancellor Hatton, an Earl of Eſſex, and an Earl of Saliſbury in debt; and yet was it no manner of diminution to their power or greatneſs.

My ſecond prayer is, that your Majeſty, in reſpect of the haſty freeing of your ſtate, would not deſcend to any means, or degree of means, which carrieth not a ſymmetry with your majeſty and greatneſs. He is gone, from whom thoſe courſes did wholly flow. So have your wants and neceſſities in particular, as it were, hanged up in two tablets before the eyes of your Lords and Commons to be talked of for four months together: to have all your courſes to help yourſelf in revenue or profit put into printed books, which were wont to be held *arcana imperii:* to have ſuch worms of aldermen to lend for ten in the hundred upon good aſſurance, and with ſuch **, as if it ſhould ſave the bark of your fortune: to contract ſtill where might be had the readieſt payment, and not the beſt bargain: to ſtir a number of projects for your profit, and then to blaſt them, and leave your Majeſty nothing but the ſcandal of them: to pretend an even carriage between your Majeſty's rights and the eaſe of the people, and to ſatisfy neither. Theſe courſes, and others the like, I hope, are gone with the deviſer of them; which have turned your Majeſty to ineſtimable prejudice (*b*).

I hope

(*b*) It will be but juſtice to the memory of the Earl of Saliſbury to remark, that this diſadvantageous character of him by Sir

I hope your Majeſty will pardon my liberty of writing. I know theſe things are *majora quam pro fortunâ:* but they are *minora quam pro ſtudio et voluntate.* I aſſure myſelf, your Majeſty taketh not me for one of a buſy nature; for my ſtate being free from all difficulties, and I having ſuch a large field for contemplations, as I have partly, and ſhall much more make manifeſt to your Majeſty and the world, to occupy my thoughts, nothing could make me active, but love and affection. So praying my God to bleſs and favour your perſon and eſtate, &c.

To the KING.

It may pleaſe your excellent Majeſty,

I HAVE, with all poſſible diligence ſince your Majeſty's progreſs, attended the ſervice committed to the ſub-commiſſioners, touching the repair and improvement of your Majeſty's means: and this I have done, not only in meeting, and conference, and debate with the reſt; but alſo by my ſeveral and private meditation and inquiry. So that, beſides the joint account, which we ſhall give to the Lords, I hope I ſhall be able to give your Majeſty ſomewhat *ex proprio.* For as no man loveth better *conſulere in commune* than I do; neither am I of thoſe fine ones, that uſe to keep back any thing, wherein

Sir Francis Bacon ſeems to have been heightened by the prejudices of the latter againſt that able Miniſter, grounded upon ſome ſuſpicions, that the Earl had not ſerved him with ſo much zeal, as he might have expected from ſo near a relation, either in Queen Elizabeth's reign, or that of her ſucceſſor. Nor is it any juſt imputation on his Lordſhip, that he began to decline in King James I's good opinion, when his Majeſty's ill œconomy occaſioned demands on the Lord Treaſurer, which all his ſkill; in the buſineſs of the finances, could not anſwer, but which drew from him advices and remonſtrances ſtill extant, which that King, not being very ready to profit by, conceived ſome reſentment againſt his old ſervant, and even retained it againſt his memory.

they think they may win credit apart, and ſo make the conſultation almoſt *inutile*. So nevertheleſs, in caſes, where matters ſhall fall in upon the bye, perhaps of no leſs worth than that, which is the proper ſubject of the conſultation; or where I find things paſſed over too ſlightly, or in caſes, where that, which I ſhould adviſe, is of that nature, as I hold it not fit to be communicated to all thoſe, with whom I am joined; theſe parts of buſineſs I put to my private account; not becauſe I would be officious, (though I profeſs I would do works of ſupererogation, if I could) but in a true diſcretion and caution. And your Majeſty had ſome taſte in thoſe notes, which I gave you for the wards, (which it pleaſed you to ſay were no tricks nor novelties, but true paſſages of buſineſs) that mine own particular remembrances and obſervations are not like to be unprofitable. Concerning which notes for the wards, though I might ſay, *ſic vos non vobis*; yet let that paſs.

I have alſo conſidered fully of that great propoſition, which your Majeſty commended to my care and ſtudy, touching the converſion of your revenue of land into a multiplied preſent revenue of rent: wherein, I ſay, I have conſidered of the means and courſe to be taken, of the aſſurance, of the rates, of the exceptions, and of the arguments for and againſt it. For though the project itſelf be as old as I can remember, and falleth under every man's capacity; yet the diſpute and manage of it aſketh a great deal of conſideration and judgement; projects being like Æſop's tongues, the beſt meat and the worſt, as they are choſen and handled. But ſurely, *ubi deficiunt remedia ordinaria, recurrendum eſt ad extraordinaria*. Of this alſo I am ready to give your Majeſty an account.

Generally upon this ſubject of the repair of your Majeſty's means, I beſeech your Majeſty to give me leave to make this judgement, that your Majeſty's

recovery muſt be by the medicines of the Galeniſts and Arabians, and not of the chemiſts or Paracelſians. For it will not be wrought by any one fine extract, or ſtrong water; but by a ſkilful company of a number of ingredients, and thoſe by juſt weight and proportion, and that of ſome ſimples, which perhaps of themſelves, or in over-great quantity, were little better than poiſons; but mixed, and broken, and in juſt quantity, are full of virtue. And ſecondly, that as your Majeſty's growing behind-hand hath been work of time; ſo muſt likewiſe be your Majeſty's coming forth and making even. Not but I wiſh it were by all good and fit means accelerated; but that I foreſee, that if your Majeſty ſhall propound to yourſelf to do it *per ſaltum*, it can hardly be without accidents of prejudice to your honour, ſafety, or profit.

Indorſed,

My letter to the KING, *touching his eſtate in general, September* 18th, 1612.

To the KING.

May it pleaſe your Majeſty,

ACCORDING to your Highneſs's pleaſure ſignified by my Lord Chamberlain (*c*), I have conſidered of the petition of certain baronets (*d*) made unto your Majeſty for confirmation and extent,

(*c*) Thomas Howard, Earl of Suffolk.

(*d*) The order of baronets was created by patent of King James I, dated the 22d of May, 1611. The year following, a decree was made relating to their place and precedence, and four years after, viz. in 1616, another decree to the ſame purpoſe. See Selden's *Titles of Honour*, Part. II. Ch. V. p. 821. Ch. XI. p. 906, and 910. 2d Edit. fol. 1631.

or explanation of certain points mentioned in their charter; and am of opinion, that firſt, whereas it is deſired, that the baronets be declared a middle degree between baron and knight, I hold this to be reaſonable as to their placing.

Secondly, where it is deſired, that unto the words *degree or dignity of baron*, the word *honour* might be added; I know very well, that in the preface of the baronets patent it is mentioned, that all honours are derived from the king. I find alſo, that in the patent of the baronets, which are marſhalled under the barons (except it be certain principals) the word *honour* is granted. I find alſo, that the word *dignity* is many times in law a ſuperior word to the word *honour*, as being applied to the King himſelf, all capital indictments concluding *contra coronam et dignitatem noſtram*. It is evident alſo, that the word *honour* and *honourable* are uſed in theſe times in common ſpeech very promiſcuouſly. Nevertheleſs, becauſe the ſtyle of honour belongs chiefly to peers and counſellors, I am doubtful what opinion to give therein.

Thirdly, whereas it is believed, that if there be any queſtion of precedence touching baronets, it may be ordered, that the ſame be decided by the commiſſioners marſhal, I do not ſee but it may be granted them for avoiding diſturbances.

Fourthly, for the precedence of baronets, I find no alteration or difficulty, except it be in this, that the daughters of baronets are deſired to be declared to have precedence before the wives of knights eldeſt ſons; which, becauſe it is a degree hereditary, and that in all examples, the daughters in general have place next the eldeſt brothers wives, I hold convenient.

Laſtly, whereas it is deſired, that the apparent heirs males of the bodies of the baronets may be knighted during the life of their fathers; for that I have received from the Lord Chamberlain a ſignifica-

tion, that your Majeſty did ſo underſtand it, I humbly ſubſcribe thereunto, with this, that the baronets eldeſt ſons being knights do not take place of ancient knights, ſo long as their fathers live.

All which nevertheleſs I humbly ſubmit to your Majeſty's better judgement.

Your Majeſty's moſt humble, and
moſt bounden ſervant,

FR. BACON.

The Charge againſt Mr. WHITELOCKE (*e*).

My Lords,

THE offence, wherewith Mr. Whitelocke is charged (for as to Sir Robert Manſell, I take it to my part only to be ſorry for his error) is a contempt

(*e*) He had been committed, in May 1613, to the Fleet, for ſpeaking too boldly againſt the marſhal's court, and for giving his opinion to Sir Robert Manſell, Treaſurer of the Navy, and Vice-Admiral, that the commiſſion to the Earl of Nottingham, Lord High Admiral, for reviewing and reforming the diſorders committed by the officers of the navy, was not according to law; though Mr. Whitelocke had given that opinion only in private to his client, and not under his hand. Sir Robert Manſell was alſo committed to the Marſhalſea, for animating the Lord Admiral againſt the commiſſion. [Sir Ralph Windwood's *Memorials of State*, Vol. III. p. 460.] This Mr. Whitelocke was probably the ſame with James Whitelocke, who was born in London, 28 November 1572, educated at Merchant Taylor's ſchool there, and St. John's college in Oxford, and ſtudied law in the Middle Temple, of which he was ſummer reader in 1619. In the preceding year, 1618, he ſtood for the place of recorder of the city of London, but was not elected to it, Robert Heath, Eſq; being choſen on the 10th of November, chiefly by the recommendation of the King, the city having been told, that they muſt chooſe none, whom his Majeſty ſhould refuſe, as he did in particular

tempt of an high nature, and reſting upon two parts: on the one, a preſumptuous and licentious cenſure and defying of his Majeſty's prerogative in general; the other, a ſlander and traducement of one act or emanation hereof, containing a commiſſion of ſurvey and reformation of abuſes in the office of the navy.

This offence is fit to be opened and ſet before your Lordſhips (as it hath been well begun,) both in the true ſtate, and in the true weight of it. For as I deſire, that the nature of the offence may appear in its true colours; ſo, on the other ſide, I deſire, that the ſhadow of it may not darken or involve any thing, that is lawful, or agreeable with the juſt and reaſonable liberty of the ſubject.

Firſt, we muſt and do agree, that the aſking, and taking, and giving of counſel in law is an eſſential part of juſtice; and to deny that, is to ſhut the gate of juſtice, which in the Hebrews commonwealth was therefore held in the gate, to ſhew all paſſage to juſtice muſt be open: and certainly counſell in law is one of the paſſages. But yet, for all that, this liberty is not infinite and without limits.

If a jeſuited papiſt ſhould come, and aſk counſel (I put a caſe not altogether feigned) whether all the acts of parliament made in the time of Queen Elizabeth and King James are void or no; becauſe there are no lawful biſhops ſitting in the upper houſe, and a parliament muſt conſiſt of lords ſpiritual and temporal and commons; and a lawyer will ſet it under his hand, that they be all void, I will touch him for high treaſon upon this his counſel.

ticular except to Mr. Whitelocke by name [MS. letter of Mr. Chamberlain to Sir Dudley Carleton, November 14, 1618.] Mr. Whitelocke, however, was call'd to the degree of ſerjeant in Trinity Term 1620, knighted, made Chief Juſtice of Cheſter; and at laſt, on the 18th of October, 1624, one of the Juſtices of the King's Bench; in which poſt he died June 1632. He was father of Bulſtrode Whitelocke, Eſq; Commiſſioner of the Great Seal.

So, if a puritan preacher will aſk counſel, whether he may ſtyle the King Defender of the Faith, becauſe he receives not the diſcipline and preſbytery; and the lawyer will tell him, it is no part of the King's ſtyle, it will go hard with ſuch a lawyer.

Or if a tribunitious popular ſpirit will go and aſk a lawyer, whether the oath and band of allegiance be to the kingdom and crown only, and not to the King (as was Hugh Spenſer's caſe,) and he deliver his opinion as Hugh Spenſer did; he will be in Hugh Spenſer's danger.

So as the privilege of giving counſel proveth not all opinions: and as ſome opinions given are traitorous; ſo are there others of a much inferior nature, which are contemptuous. And among theſe I reckon Mr. Whitelocke's; for as for his loyalty and true heart to the King, God forbid I ſhould doubt it.

Therefore let no man miſtake ſo far, as to conceive, that any lawful and due liberty of the ſubject for aſking counſel in law is called in queſtion, when points of diſloyalty or of contempt are reſtrained. Nay, we ſee it is the grace and favour of the King and his courts, that if the caſe be tender, and a wiſe lawyer in modeſty and diſcretion refuſeth to be of council (for you have lawyers ſometimes too nice as well as too bold) they are then ruled and aſſigned to be of council. For certainly counſell is the blind man's guide; and ſorry I am with all my heart, that in this caſe the blind did lead the blind.

For the offence, for which Mr. Whitelocke is charged, I hold it great, and to have, as I ſaid at firſt, two parts; the one a cenſure, and (in as much as in him is) a circling, nay a clipping, of the King's prerogative in general: the other, a ſlander and depravation of the King's power and honour in this commiſſion.

And for the firſt of theſe, I conſider it again in three degrees: firſt, that he preſumed to cenſure the

the King's prerogative at all. Secondly, that he runneth into the generality of it more than was pertinent to the preſent queſtion. And laſtly, that he hath erroneouſly, and falſely, and dangerouſly given opinion in derogation of it.

Firſt, I make a great difference between the King's grants and ordinary commmiſſions of juſtice, and the King's high commiſſions of regiment, or mixed with cauſes of ſtate.

For the former, there is no doubt but they may be freely queſtioned and diſputed (and any defect in matter or form ſtood upon,) though the King be many times the adverſe party:

But for the latter ſort, they are rather to be dealt with (if at all) by a modeſt, and humble intimation or remonſtrance to his Majeſty and his council, than by bravery of diſpute or peremptory oppoſition.

Of this kind is that properly to be underſtood, which is ſaid in Bracton, *De chartis et factis regiis non debent aut poſſunt juſtitiarii aut privatæ perſonæ diſputare, ſed tutius eſt, ut expectetur ſententia regis.*

And the King's courts themſelves have been exceeding tender and ſparing in it; ſo that there is in all our law, not three caſes of it. And in that very caſe of 24 Ed. 3. aſs. pl. s. which Mr. Whitelocke vouched, where, as it was a commiſſion to arreſt a man, and to carry him to priſon, and to ſeize his goods without any form of juſtice or examination preceding; and that the Judges ſaw it was obtained by ſurreption: yet the Judges ſaid they would keep it by them, and ſhew it to the King's council.

But Mr. Whitelocke did not adviſe his client to acquaint the King's council with it, but preſumptuouſly giveth opinion, that it is void. Nay, not ſo much as a clauſe or paſſage of modeſty, as that he ſubmits his opinion to cenſure: that it is too great a matter for him to deal in; or this is my opinion, which is nothing, &c. But *illotis manibus*,

he takes it into his hands, and pronounceth of it, as a man would ſcarcely do of a warrant of a juſtice of peace, and ſpeaks like a dictator, that *this is law*, and *this is againſt law*, &c. *(f)*.

ROBERT *Earl of* SOMERSET *to Sir* THOMAS OVERBURY *(g). From a Copy among Lord* BACON*'s papers in the Lambeth library.*

SIR,

I HAVE conſidered, that my anſwer to you, and what I have otherwiſe to ſay, will exceed the bounds of a letter; and now having not much

(f) Sir H. Wotton in a letter of his to Sir Edmund Bacon [*Reliq. Wotton.* p. 421. Edit. 3d] written about the beginning of June, 1613, mentions, that Sir Robert Manſell and Mr. Whitelocke were, on the Saturday before, called to a very honourable hearing in the Queen's preſence-chamber at Whitehall, before the Lords of the Council, with intervention of the Lord Chief Juſtice Coke, the Lord Chief Baron Tanfield, and the Maſter of the Rolls; the Lord Chief Juſtice of the King's Bench, Fleming, being kept at home by ſome infirmity. There the Attorney and Sollicitor firſt undertook Mr. Whitelocke, and the Recorder [Henry Montagu], as the King's Serjeant, Sir Robert Manſell, charging the one as a counſellor, the other as a queſtioner, in matters of the King's prerogative and ſovereignty upon occaſion of a commiſſion intended for a reſearch into the adminiſtration of the admiralty. "Whitelocke in his anſwer, *adds Sir Henry* "*Wotton*, ſpake more confuſedly than was expected from a lawyer; "and the knight more temperately than was expected from a "ſoldier. . . . Whitelocke ended his ſpeech with an abſolute "confeſſion of his own offence, and with a promiſe of employing "himſelf hereafter in defence of the King's prerogative. . . . "In this they generally agreed, both counſellors and judges, "to repreſent the humiliation of both the priſoners to the King "in lieu of innocency, and to intercede for his gracious par-"don: which was done, and accordingly the next day they "were inlarged upon a ſubmiſſion under writing."

(g) He was committed to the Tower on the 21ſt of April, 1613, and died there of poiſon on the 15th of September following.

time

time to uſe betwixt my waiting on the King, and the removes we do make in this our little progreſs, I thought fit to uſe the ſame man to you, whom I have heretofore many times employed in the ſame buſineſs. He has, beſides an account and a better deſcription of me to give you, to make a repetition of the former carriages of all this buſineſs, that you may diſtinguiſh that, which he did by knowledge of mine and direction, and betwixt that he did out of his own diſcretion without my warrant. With all this he has to renew to you a former deſire of mine, which was the ground-work of this, and the chief errand of his coming to you, wherein I deſire your anſwer by him. I would not employ this gentleman to you, if he were, as you conceit of him, your unfriend, or an ill inſtrument betwixt us. So owe him the teſtimony of one, that has ſpoken as honeſtly, and given more praiſes of you, than any man, that has ſpoken to me.

My haſte at this time makes me to end ſooner than I expected: but the ſubject of my next ſending ſhall be to anſwer that part you give me in your love, with a return of the ſame from

Your aſſured loving friend,

R. SOMERSET.

Indorſed, *Lord Somerſet's firſt letter.*

To the KING.

It may pleaſe your moſt excellent Majeſty,

HAVING underſtood of the death of the Lord Chief Juſtice *(b)*, I do ground in all humble-

(b) Sir Thomas Fleming, who died about Auguſt 1613.

neſs

neſs an aſſured hope, that your Majeſty will not think of any other but your poor ſervants, your Attorney (*i*), and your Sollicitor (*k*), one of them, for that place. Elſe we ſhall be like Noah's dove, not knowing where to reſt our feet. For the places of reſt, after the extreme painful places, wherein we ſerve, have uſed to be either the Lord Chancellor's place, or the Maſterſhip of the Rolls, or the places of the Chief Juſtices: whereof, for the firſt, I could be almoſt loth to live to ſee this worthy counſellor fail. The Maſterſhip of the Rolls is blocked with a reverſion (*l*). My Lord Coke is like to outlive us both. So as, if this turn fail, I for my part know not whither to look. I have ſerved your Majeſty above a prenticehood, full ſeven years and more, as your Sollicitor, which is, I think, one of the painfulleſt places in your kingdom, ſpecially as my employments have been; and God hath brought mine own years to fifty two, which I think is older than ever any Sollicitor continued unpreferred. My ſuit is principally, that you would remove Mr. Attorney to the place. If he refuſe, then I hope your Majeſty will ſeek no farther than myſelf, that I may at laſt, out of your Majeſty's grace and favour, ſtep forwards to a place either of more comfort or more eaſe. Beſides, how neceſſary it is for your Majeſty to ſtrengthen your ſervice amongſt the Judges by a Chief Juſtice, which is ſure to your prerogative, your Majeſty knoweth. Therefore I ceaſe farther to trouble your Majeſty, humbly craving pardon, and relying wholly upon

(*i*) Sir Henry Hobart, who was made Lord Chief Juſtice of the Common Pleas, November 26, 1613, in the room of Sir Edward Coke, removed to the poſt of Lord Chief Juſtice of the King's Bench, October 25.

(*k*) Sir Francis Bacon himſelf, who was appointed Attorney General, October 27, 1613.

(*l*) to Sir Julius Cæſar.

your goodneſs and remembrance, and reſting in all true humbleneſs,

Your Majeſty's moſt devoted,
and faithful ſubject and ſervant,

FR. BACON.

Reaſons why it ſhould be exceeding much for his Majeſty's ſervice to remove the Lord COKE *from the place he now holdeth (m) to be Chief Juſtice of England (n), and the Attorney (o) to ſucceed him, and the Sollicitor (p) the Attorney.*

FIRST, it will ſtrengthen the King's cauſes greatly amongſt the Judges: for both my Lord Coke will think himſelf near a Privy Counſellor's place, and thereupon turn obſequious; and the Attorney General, a new man, and a grave perſon, in a Judge's place, will come in well to the other, and hold him hard to it, not without emulation between them, who ſhall pleaſe the King beſt.

Secondly, the Attorney General ſorteth not ſo well with his preſent place, being a man timid and ſcrupulous both in parliament and other buſineſs, and one, that in a word was made fit for the late Lord Treaſurer's bent, which was to do little with much formality and proteſtation: whereas the now Sollicitor going more roundly to work, and being of a quicker and more earneſt temper, and more effectual in that he dealeth in, is like to recover that

(*m*) of Chief Juſtice of the Common Pleas, having been appointed to that office June 30, 1606.

(*n*) He was advanced to that office October 25, 1613.

(*o*) Sir Henry Hobart, who had been appointed Attorney General July 4, 1606.

(*p*) Sir Francis Bacon, who had been ſworn Sollicitor General June 25, 1607.

ſtrength

ſtrength to the King's prerogative, which it hath had in times paſt, and which is due unto it. And for that purpoſe there muſt be brought in to be Sollicitor ſome man of courage and ſpeech, and a grounded lawyer; which done, his Majeſty will ſpeedily find a marvellous change in his buſineſs. For it is not to purpoſe for the Judges to ſtand well-diſpoſed, except the King's council, which is the active and moving part, put the Judges well to it; for in a weapon, what is a back without an edge?

Thirdly, the King ſhall continue and add reputation to the Attorney's and Sollicitor's place, by this orderly advancement of them; which two places are the champions places for his rights and prerogative; and being ſtripped of their expectations and ſucceſſions to great place, will wax vile; and then his Majeſty's prerogative goeth down the wind. Beſides, the remove of my Lord Coke to a place of leſs profit (though it be with his will) yet will be thought abroad a kind of diſcipline to him for oppoſing himſelf in the King's cauſes; the example whereof will contain others in more awe.

Laſtly, whereas now it is voiced abroad touching the ſupply of places, as if it were a matter of labour and canvaſs, and money; and other perſons are chiefly ſpoken of to be the men and the great ſuitors; this will appear to be the King's own act, and is a courſe ſo natural and regular, as it is without all ſuſpicion of theſe by-courſes, to the King's infinite honour. For men ſay now, the King can make good ſecond Judges (as he hath done lately (q);) but that is no maſtery, becauſe men ſue to be kept from theſe places. But now is the trial in thoſe great places, how his Majeſty can hold good, where there is great ſuit and means.

(q) Sir John Dodderidge was made a Judge of the King's Bench, November 25, 1612, and Sir Auguſtin Nichols of the Common Pleas the day following.

To Mr. JOHN MURRAY (*r*) *of the Bed-chamber to the King* (*).

Mr. Murray,

I KEEP the ſame meaſure in a proportion with my maſter and with my friend; which is, that I will never deceive them in any thing, which is in my power; and when my power faileth my will, I am ſorry.

Monday is the day appointed for performing his Majeſty's commandment. Till then I cannot tell what to adviſe you farther, except it ſhould be this, that in caſe the Judges ſhould refuſe to take order in it themſelves, then you muſt think of ſome warrant to Mr. Secretary, who is your friend, and conſtant in the buſineſſes, that he ſee forthwith his Majeſty's commandment executed, touching the double lock; and, if need be, repair to the place, and ſee by view the manner of keeping the ſeal; and take order, that there be no ſtay of working of the ſeal for juſtice, nor no prejudice to Killegrew's farm, nor to the duty of money paid to the Chief Juſtice. Whether this may reqũire your preſence, as you write, that yourſelf can beſt judge. But of this more, when we have received the Judges anſwer. It is my duty, as much as in me is, to procure my maſter to be obeyed. I ever reſt,

Your friend and aſſured,

January 21, 1614. FR. BACON.

I pray deliver the incloſed letter to his Majeſty.

To his very good friend, Mr. John Murray, of his Majeſty's Bed-chamber.

(*r*) He was created Viſcount of Annan in Scotland, in Auguſt, 1622. *Negotiations of Sir Thomas Roe, in his embaſſy to the Ottoman Porte, p.* 93. In April, 1624, the Lord Annan was created Earl of Annandale in Scotland. Ibid. p. 250.

(*) This, and the three following letters, are printed from Harl. MSS. Vol. 6986.

To

To Mr. MURRAY.

Mr. Murray,

MY Lord Chancellor, yeſterday in my preſence, had before him the Judges of the Common Pleas, and hath performed his Majeſty's royal command in a very worthy faſhion, ſuch as was fit for our maſter's greatneſs; and becauſe the King may know it, I ſend you the incloſed. This ſeemeth to have wrought the effect deſired; for preſently I ſent for Sir Richard Cox (*s*), and willed him to preſent himſelf to my Lord Hobart, and ſignify his readineſs to attend. He came back to me, and told me, all things went on. I know not what afterwards may be; but I think this long chace is at an end.

I ever reſt,

Your's aſſured,

January 25, 1614. FR. BACON.

To Mr. MURRAY.

Mr. Murray,

I PRAY deliver the incloſed to his Majeſty, and have care of the letter afterwards. I have written alſo to his Majeſty about your reference to this purpoſe, that if you can get power over the whole title, it may be ſafe for his Majeſty to aſſent, that you may try the right upon the deed. This is the fartheſt I can go.

I ever reſt,

Your's aſſured,

February 28, 1614, FR. BACON.

(*s*) He was one of the Maſters of the Green Cloth, and had had a quarrel at court during the Chriſtmaſs holy-days of the year 1614, with Sir Thomas Erſkine; which quarrel was made up by the Lords of the Marſhal's Court, Sir Richard being obliged to put up with very foul words. MS. letter of Mr. Chamberlain to Sir Dudley Carleton, January 12, 1615.

To

To the KING.

May it pleaſe your moſt excellent Majeſty,

I SEND your Majeſty incloſed a copy of our laſt examination of Peacham (*t*), taken the 10th of this preſent; whereby your Majeſty may perceive, that

(*t*) Edmund Peacham, a miniſter in Somerſetſhire [MS. letter of Mr. Chamberlain, dated January 5, 161⅘]. I find one of both his names, who was inſtituted into the vicarage of Ridge in Hertfordſhire July 22, 1581, and reſigned it in 1587 [Newcourt, *Reperter.* Vol. I. p. 864.] Mr. Peacham was committed to the Tower for inſerting ſeveral treaſonable paſſages in a ſermon *never preached, nor*, as Mr. Juſtice Croke remarks in his *Reports* during the reign of King Charles I, p. 125, *ever intended to be preached.* Mr. Chamberlain, in a letter of the 9th of February, 161⅘, to Sir Dudley Carleton, mentions Mr. Peacham's having been "ſtretched already, though he be an old man, "and, they ſay, much above threeſcore: but they could "wring nothing out of him more than they had at firſt in his "papers. Yet the King is extremely incenſed againſt him, "and will have him proſecuted to the uttermoſt." In another letter, dated February 23, we are informed, that the King, ſince his coming to London on the 15th, had had "the opinion "of the Judges ſeverally in Peacham's caſe; and it is ſaid, that "moſt of them concur to find it treaſon: yet my Lord Chief "Juſtice [Coke] is for the contrary; and if the Lord Hobart, "that rides the weſtern circuit, can be drawn to jump with his "collegue, the Chief Baron [Tanfield,] it is thought he ſhall "be ſent down to be tried, and truſſed up in Somerſetſhire." In a letter of the 2d of March, 161⅘, Mr. Chamberlain writes, "Peacham's trial at the weſtern aſſizes is put off, and his journey "ſtayed, though Sir Randall Crew, the King's Serjeant, and "Sir Henry Yelverton, the Sollicitor, were ready to go to horſe "to have waited on him there." "Peacham, the miniſter, "*adds he in a letter of the 13th of July*, 161⅝, that hath been "this twelve month in the Tower, is ſent down to be tried for "treaſon in Somerſetſhire before the Lord Chief Baron and Sir Henry Montagu, the Recorder. The Lord Hobart gave over that circuit the laſt aſſizes. Sir Randall Crew and Sir Henry Yelverton, the King's Serjeant and Sollicitor, are ſent "down

that this miſcreant wretch goeth back from all, and denieth his hand and all. No doubt, being fully of belief, that he ſhould go preſently down to his trial, he meant now to repeat his part, which he purpoſed to play in the country, which was to deny all. But your Majeſty in your wiſdom perceiveth, that this denial of his hand, being not poſſible to be counterfeited, and to be ſworn by Adams, and ſo oft by himſelf formerly confeſſed and admitted, could not mend his caſe before any jury in the world, but rather aggravateth it by his notorious impudency and falſhood, and will make him more odious. He never deceived me; for when others had hopes of diſcovery, and thought time well ſpent that way, I told your Majeſty, *pereuntibus mille figuræ*; and that he now did but turn himſelf into divers ſhapes, to ſave or delay his puniſhment. And therefore ſubmitting myſelf to your Majeſty's high wiſdom, I think myſelf bound in conſcience to put your Majeſty in remembrance, whether Sir John Sydenham (*u*) ſhall be detained upon this man's impeaching, in whom there is no truth. Notwithſtanding, that farther inquiry be made of this other Peacham, and that information

" down to proſecute the trial." The event of this trial, which was on the 7th of Auguſt, appears from Mr. Chamberlain's letter of the 14th of that month, wherein, it is ſaid, that " ſeven knights were taken from the bench, and appointed to be " of the jury. He defended himſelf very ſimply, but obſtinately and doggedly enough. But his offence was ſo foul " and ſcandalous, that he was condemned of high treaſon; " yet not hitherto executed, nor perhaps ſhall be, if he have " the grace to ſubmit himſelf, and ſhew ſome remorſe." He died, as appears from another letter of the 27th of March, 1616, in the jail at Taunton, where he was ſaid to have " left behind " a moſt wicked and deſperate writing, worſe than that he was " convicted for."

(*u*) He had been confronted about the end of February, or beginning of March, 161⅘, with Mr. Peacham, about ſeveral ſpeeches, which had formerly paſſed between them. MS. letter of Mr. Chamberlain to Sir Dudley Carleton, from London, March 2, 161⅘.

and

and light be taken from Mr. Poulet (*w*) and his ſervants, I hold it, as things are, neceſſary.

God preſerve your Majeſty.

Your Majeſty's moſt humble and devoted ſubject and ſervant,

March 12, 1614. FR. BACON.

Supplement of two paſſages omitted in the edition of Sir FRANCIS BACON*'s ſpeech in the King's Bench againſt* OWEN (*x*), *as printed in his works. After the words* [it is bottomleſs] *in the paragraph beginning* [For the treaſon itſelf, which is the ſecond point, &c.] *add*

[I SAID in the beginning, that this treaſon in the nature of it was old. It is not of the treaſons, whereof it may be ſaid, *from the beginning it was not ſo.* You are indicted, Owen, not upon any ſtatute made againſt the Pope's ſupremacy, or other matters, that have reference to religion; but merely upon that

(*w*) John Poulet, Eſq; Knight of the Shire for the county of Somerſet in the parliament, which met April 5, 1614. He was created Lord Poulet of Henton St. George, June 23, 1627.

(*x*) He was of the family of that name at Godſtow in Oxfordſhire [*Camdeni Annales Regis Jacobi I, p.* 12.] He was a young man, who had been in Spain; and was condemned at the King's Bench, on Wedneſday May 17, 1615, "for divers moſt vile "and traiterous ſpeeches confeſſed and ſubſcribed with his "own hand; as, among others, that it was as lawful for any "man to kill a King excommunicated, as for the hangman to "execute a condemned perſon. He could ſay little for himſelf, "or in maintenance of his deſperate poſitions, but only that he "meant it not by the King, and he holds him not excommunicate." MS. letter of Mr. Chamberlain to Sir Dudley Carleton from London, May 20, 1615.

law, which was born with the kingdom, and was law even in ſuperſtitious times, when the Pope was received. The compaſſing and imagining of the King's death was treaſon. The ſtatute of the 25th of Edward III, which was but declaratory, begins with this article, as the capital of capitals in treaſon, and of all others the moſt odious and the moſt perilous.] And ſo the civil law, &c.

At the concluſion of this ſpeech, after the words [*the Duke of Anjou and the Papiſts*] add

[As for ſubjects, I ſee not, or ever could diſcern, but that by infallible conſequence, it is the caſe of all ſubjects and people, as well as of Kings; for it is all one reaſon, that a Biſhop, upon an excommunication of a private man, may give his lands and goods in ſpoil, or cauſe him to be ſlaughtered, as for the Pope to do it towards a King; and for a Biſhop to abſolve the ſon from duty to the father, as for the Pope to abſolve the ſubject from his allegiance to his King. And this is not my inference, but the very affirmative of Pope Urban the Second, who in a brief to Godfrey, Biſhop of Luca, hath theſe very words, which Cardinal Baronius reciteth in his Annals, Tom. XI. p. 802. *Non illos homicidas arbitramur, qui adverſus excommunicatos zelo catholicæ matris ardentes eorum quoſlibet trucidare contigerit*, ſpeaking generally of all excommunications.]

To Mr. MURRAY (*).

Good Mr. Murray,

ACCORDING to his Majeſty's pleaſure by you ſignified unto me, we have attended my Lord Chancellor (*y*), my Lord Treaſurer (*z*), and Mr.

(*) Harl. MSS. Vol. 6986.
(*y*) Elleſmere.
(*z*) Thomas Howard, Earl of Suffolk.

Chancellor

Chancellor of the Exchequer (*a*), concerning Sir Gilbert Houghton's patent ſtayed at the ſeal; and we have acquainted them with the grounds and ſtate of the ſuit, to juſtify them, that it was juſt and beneficial to his Majeſty. And for any thing we could perceive by any objection or reply they made, we left them in good opinion of the ſame, with this, that becauſe my Lord Chancellor (by the advice, as it ſeemeth, of the other two) had acquainted the council-table (for ſo many as were then preſent) with that ſuit amongſt others, they thought fit to ſtay till his Majeſty's coming to town, being at hand, to underſtand his farther pleaſure. We purpoſe, upon his Majeſty's coming, to attend his Majeſty, to give him a more particular account of this buſineſs, and ſome other. Mean while, finding his Majeſty to have care of the matter, we thought it our duty to return this anſwer to you in diſcharge of his Majeſty's direction. We remain,

Your aſſured friends,

July 6, 1615.

FRANCIS BACON,
HENRY YELVERTON.

To the KING (*).

It may pleaſe your excellent Majeſty,

I RECEIVED this very day, in the forenoon, your Majeſty's ſeveral directions touching your cauſe proſecuted by my Lord Hunſdon (*b*), as your farmer. Your firſt direction was by Sir Chriſtopher Parkins, that the day appointed for the judicial ſen-

(*a*) Sir Fulk Grevile, advanced to that poſt October 1, 1614, the room of Sir Julius Cæſar, made Maſter of the Rolls.
(*) Harl. MSS. Vol. 6986.
(*b*) John Carey, Baron of Hunſdon. He died in April, 1617.

tence ſhould hold: and if my Lord Chief Juſtice, upon my repair to him, ſhould let me know, that he could not be preſent, then my Lord Chancellor ſhould proceed, calling to him my Lord Hobart, except he ſhould be excepted to; and then ſome other Judge by conſent. For the latter part of this your direction, I ſuppoſe, there would have been no difficulty in admitting my Lord Hobart; for after he had aſſiſted at ſo many hearings, it would have been too late to except to him. But then your Majeſty's ſecond and later direction (which was delivered unto me from the Earl of Arundel, as by word of mouth, but ſo as he had ſet down a remembrance thereof in writing freſhly after the ſignification of his pleaſure) was to this effect, that before any proceeding in the Chancery, there ſhould be a conference had between my Lord Chancellor, my Lord Chief Juſtice, and myſelf, how your Majeſty's intereſt might be ſecured. This later direction I acquainted my Lord Chancellor with; and finding an impoſſibility, that this conference ſhould be had before to-morrow, my Lord thought good, that the day be put over, taking no occaſion thereof other than this, that in a cauſe of ſo great weight it was fit for him to confer with his aſſiſtants, before he gave any decree, or final order. After ſuch time as I have conferred with my Lords, according to your commandment, I will give your Majeſty account with ſpeed of the concluſion of that conference.

Farther, I think fit to let your Majeſty know, that in my opinion I hold it a fit time to proceed in the buſineſs of the *Rege inconſulto*, which is appointed for Monday. I did think theſe greater cauſes would have come to period or pauſe ſooner: but now they are in the hight, and to have ſo great a matter as this of the *Rege inconſulto* handled, when men do *aliud agere*, I think it no proper time. Beſides, your Majeſty in your great wiſdom knoweth, that the buſineſs

buſineſs of Mr. Murray's is ſomewhat againſt the ſtream of the Judges inclination: and it is no part of a ſkilful mariner to ſail on againſt a tide, when the tide is at ſtrongeſt. If your Majeſty be pleaſed to write to my Lord Coke, that you would have the buſineſs of the *Rege inconſulto* receive a hearing, when he ſhould be *animo ſedato et libero*, and not in the midſt of his aſſiduous and inceſſant cares and induſtries in other practices, I think your Majeſty ſhall do your ſervice right. Howſoever, I will be provided againſt the day.

Thus praying God for your happy preſervation, whereof God giveth you ſo many great pledges,

I reſt your Majeſty's moſt humble and

devoted ſubject and ſervant,

November 17, 1615. FR. BACON.

Innovations introduced into the laws and government (*c*).

1. THE eccleſiaſtical commiſſion.

IN this he prevailed, and the commiſſion was pared, and namely the point of alimony left out, whereby wives are left wholly to the tyranny of their huſbands. This point, and ſome others, may require a review, and is fit to be reſtored to the commiſſion.

(*c*) This paper was evidently deſigned againſt the Lord Chief Juſtice Coke.

2. Againſt the provincial councils.

In this he prevailed in ſuch ſort, as the preſidents are continually ſuitors for the enlargement of the inſtructions, ſometimes in one point, ſometimes in another; and the jurisdictions grow into contempt, and more would, if the Lord Chancellor did not ſtrengthen them by injunctions, where they exceed not their inſtructions.

3. Againſt the Star-chamber for levying damages.

In this he was over-ruled by the ſentence of the court; but he bent all his ſtrength and wits to have prevailed; and ſo did the other Judges by long and laborious arguments: and if they had prevailed, the authority of the court had been overthrown. But the plurality of the court took more regard to their own precedents, than to the Judges opinion.

4. Againſt the Admiralty.

In this he prevaileth, for prohibitions fly continually; and many times are cauſe of long ſuits, to the diſcontent of foreign ambaſſadors, and the King's diſhonour and trouble by their remonſtrances.

5. Againſt the court of the duchy of Lancaſter prohibitions go; and the like may do to the Court of Wards and Exchequer.

This is new, and would be forthwith reſtrained, and the others ſettled.

6. Againſt

6. Againſt the Court of Requeſts.

In this he prevaileth; and this but lately brought in queſtion.

7. Againſt the Chancery for decrees after judgment.

In this his Majeſty hath made an eſtabliſhment: and he hath not prevailed, but made a great noiſe and trouble.

8. Præmunire for ſuits in the Chancery.

This his Majeſty hath alſo eſtabliſhed, being a ſtrange attempt to make the Chancellor ſit under a hatchet, inſtead of the King's arms.

9. Diſputed in the Common Pleas, whether that court may grant a prohibition to ſtay ſuits in the Chancery, and time given to ſearch for precedents.

" This was but a bravery, and dieth of itſelf, eſpecially the authority of the Chancery by his Majeſty's late proceedings being ſo well eſtabliſhed.

10. Againſt the new boroughs in Ireland.

This in good time was overruled by the voice of eight Judges of ten, after they had heard your Attorney. And had it prevailed, it had overthrown the parliament of Ireland, which would have been imputed to a fear in this ſtate to have proceeded; and ſo his Majeſty's authority and reputation loſt in that kingdom.

11. Againſt the writs *Dom. Rege inconſulto.*

This is yet *ſub judice:* but if it ſhould prevail, it maketh the Judges abſolute over the patents of the King, be they of power and profit, contrary

to the antient, and ever continued law of the crown; which doth call thoſe cauſes before the King himſelf, as he is repreſented in Chancery.

12. Againſt contribution, that it was not lawful neither to levy it, nor to move for it.

In this he prevailed, and gave opinion, that the King by his great ſeal could not ſo much as move any his ſubjects for benevolence. But this he retracted after in the Star-Chamber; but it marred the benevolence in the mean time.

13. Peacham's caſe.

In this, for as much as in him was, and in the court of King's Bench, he prevailed, though it was holpen by the good ſervice of others. But the opinion, which he held, amounted in effect to this, that no word of ſcandal or defamation, importing, that the King was utterly unable or unworthy to govern, were treaſon, except they diſabled his title, &c.

14. Owen's caſe.

In this we prevailed with him to give opinion, it was treaſon: but then it was upon a conceit of his own, that was no leſs dangerous, than if he had given his opinion againſt the King: for he proclaimed the King excommunicate in reſpect of the anniverſary bulls of *Cœna Domini*, which was to expoſe

15. The value of benefices not to be according to the tax in the King's book of taxes.

expoſe his perſon to the fury of any jeſuited conſpirator.

By this the intent of the ſtatute of 21 Henry VIII. is fruſtrated; for there is no benefice of ſo ſmall an improved value as 8l. by that kind of rating. For this the Judges may be aſſembled in the Exchequer for a conference.

16. Suits for legacies ought to be in their proper dioceſes, and not in the prerogative court; although the will be proved in the prerogative court upon *bona notabilia* in ſeveral dioceſes, commendams, &c.

The practice hath gone againſt this; and it is fit, the ſuit be where the probate is. And this ſerved but to put a pique between the archbiſhops courts and the biſhops courts. This may be again propounded upon a conference of the Judges.

To Sir GEORGE VILLIERS.

SIR,

THE meſſage, which I received from you by Mr. Shute, hath bred in me ſuch belief and confidence, as I will now wholly rely upon your excellent and happy ſelf. When perſons of greatneſs and quality begin ſpeech with me of the matter, and offer me their good offices, I can but anſwer them civilly. But thoſe things are but toys: I am your's ſurer to you than to mine own life; for, as they ſpeak of the Turquois ſtone in a ring, I will break into

into twenty pieces, before you have the leaſt fall. God keep you ever.

Your trueſt ſervant,

February 15, 1615. FR. BACON.

My Lord Chancellor is prettily amended. I was with him yeſterday almoſt half an hour. He uſed me with wonderful tokens of kindneſs. We both wept, which I do not often.

Indorſed,

A letter to Sir G. Villiers touching a meſſage brought to him by Mr. Shute of a promiſe of the Chancellor's place.

Mr. TOBIE MATTHEW *(d) to Sir* FRANCIS BACON, *Attorney General.*

May it pleaſe you, Sir,

THE notice I have from my Lord Roos, Sir Henry Goodere, and other friends, of the extreme obligation, wherein I continue towards you, together with the conſcience I have of the knowledge, how dearly and truly I honour and love you, and daily pray, that you may riſe to that hight, which

(d) Son of Dr. Tobie Matthew, Archbiſhop of York. He was born at Oxford in 1578, while his father was Dean of Chriſt-church, and educated there. During his travels abroad, he was ſeduced to the Romiſh religion by Father Parſons. This occaſioned his living out of his own country from the year 1607 to 1617, when he had leave to return to England. He was again ordered to leave it in October 1618; but in 1622 was recalled to aſſiſt in the match with Spain; and on account of his endeavours to promote it, was knighted by King James I. at Royſton, on the 10th of October, 1623. He tranſlated into Italian Sir Francis Bacon's *Eſſays*, and died at Ghent in Flanders, Octob. 13, 1655, N. S.

the

the ſtate, wherein you live, can give you, hath taken away the wings of fear, whereby I was almoſt carried away from daring to importune you in this kind. But I know how good you have always been, and are ſtill, towards me; or rather becauſe I am not able to comprehend how much it is, I will preſume there is enough for any uſe, whereupon an honeſt humble ſervant may employ it.

It imports the buſineſs of my poor eſtate, that I be reſtored to my country for ſome time; and I have divers friends in that court, who will further my deſire thereof, and particularly Mr. Secretary Lake and my Lord Roos, whom I have deſired to confer with you about it. But nothing can be done therein, unleſs my Lord of Canterbury (*e*) may be made propitious, or at leaſt not averſe; nor do I know in the world how to charm him but by the muſic of your tongue. I beſeech you, Sir, loſe ſome minutes upon me, which I ſhall be glad to pay by whole years of ſervice; and call to mind, if it pleaſe you, the laſt ſpeech you made me, that if I ſhould continue as I then was, and neither prove ill-affected to the ſtate, nor become otherwiſe than a meer ſecular man in my religion, you would be pleaſed to negotiate for my return. On my part the conditions are performed; and it remains, that you do the like: nor can I doubt but that the nobleneſs of your nature, which loves nothing in the world ſo well as to be doing of good, can deſcend from being the Attorney General to a great King, to be ſollicitor for one of the meaneſt ſubjects that he hath.

I ſend my letter to my Lord's Grace open, that before you ſeal it (if you ſhall think fit to ſeal it, and rather not to deliver it open) you may ſee the reaſons that I have; which, if I be not partial, are very pregnant. Although I confeſs, that till it was now very lately

(*e*) Dr. George Abbot.

motioned to me by ſome honourable friends, who have already procured to diſimpreſſion his Majeſty of ſome hard conceit he had me in, I did not greatly think thereof; and now I am full of hope, that I ſhall prevail. For ſuppoſing, that my Lord of Canterbury's mind is but made of iron, the adamant of your perſuaſion will have power to draw it. It may pleaſe you either to ſend a preſent anſwer hereunto; or, ſince I am not worthy of ſo much favour, to ſend either of thoſe honourable perſons aforenamed what the anſwer is, that accordingly they may [illegible].

This letter goes by Sir Edward Parham, a gentleman, whom I have been much beholding to. I know him to be a perfect honeſt man; and ſince, I proteſt I had rather die than deceive you, I will humbly pray, that he may rather receive favor from you, than otherwiſe, when he ſhall come in your way, which at one time or other all the world there muſt do. And I ſhall acknowledge myſelf much bound to you, as being enabled by this means to pay many of my debts to him.

I preſume to ſend you the copy of a piece of a letter, which Galileo, of whom, I am ſure, you have heard, wrote to a monk of my acquaintance in Italy, about the anſwering of that place in Joſhua, which concerns the ſun's ſtanding ſtill, and approving thereby the pretended falſhood of Copernicus's opinion. The letter was written by occaſion of the oppoſition, which ſome few in Italy did make againſt Galileo, as if he went about to eſtabliſh that by experiments, which appears to be contrary to Holy Scripture. But he makes it appear the while by this piece of a letter, which I ſend you, that if that paſſage of Scripture doth expreſsly favour either ſide, it is for the affirmative of Copernicus's opinion, and for the negative of Ariſtotle's. To an Attorney General in the midſt of a town, and ſuch a one, as is employed in the weightieſt affairs of the kingdom, it might ſeem

ſeem unſeaſonable for me to interrupt you with matter of this nature. But I know well enough in how high account you have the truth of things; and that no day can paſs, wherein you give not liberty to your wiſe thoughts of looking upon the works of nature. It may pleaſe you to pardon the ſo much trouble, which I give you in this kind; though yet, I confeſs, I do not deſerve a pardon, becauſe I find not in myſelf a purpoſe of forbearing to do the like hereafter. I moſt humbly kiſs your hand.

Your moſt faithful and affectionate ſervant,

Bruſſels, this 21ſt of April, 1616.

TOBIE MATTHEW.

Queſtions legal for the Judges [in the Caſe of the Earl and Counteſs of Somerſet.]

WHETHER the ax is to be carried before the priſoner, being in the caſe of felony?

Whether, if the Lady make any digreſſion to clear his Lordſhip, ſhe is not by the Lord Steward to be interrupted and ſilenced?

Whether, if my Lord of Somerſet ſhould break forth into any ſpeech of taxing the King, he be not preſently by the Lord Steward to be interrupted and ſilenced; and, if he perſiſt, he be not to be told, that if he take that courſe, he is to be withdrawn, and evidence to be given in his abſence? And whether that may be; and what elſe to be done?

Whether if there ſhould be twelve votes to condemn, and twelve or thirteen to acquit, it be not a verdict for the King?

Queſtions of Convenience, whereupon his Majeſty may conſer with ſome of his Council.

WHETHER, if Somerſet confeſs at any time before his trial, his Majeſty ſhall ſtay trial in reſpect of farther examination concerning practice of treaſon, as the

the death of the late Prince, the conveying into Spain of the now Prince, or the like; for till he confeſs the leſs crime, there is [no] likelihood of confeſſing the greater?

Whether, if the trial upon that reaſon ſhall be put off, it ſhall be diſcharged privately by diſſolving the commiſſion, or diſcharging the ſummons? Or whether it ſhall not be done in open court, the peers being met, and the ſolemnity and celebrity preſerved; and that with ſome declaration of the cauſe of putting off the farther proceeding?

Whether the days of her trial and his ſhall be immediate, as it is now appointed; or a day between, to ſee, if, after condemnation, the Lady will confeſs of this Lord; which done, there is no doubt but he will confeſs of himſelf?

Whether his trial ſhall not be ſet firſt, and hers after, becauſe then any conceit, which may be wrought by her clearing of him, may be prevented; and it may be he will be in the better temper, hoping of his own clearing, and of her reſpiting?

What ſhall be the days; for Thurſday and Friday can hardly hold in reſpect of the ſummons; and it may be as well Friday and Saturday, or Monday and Tueſday, as London makes it already?

A particular remembrance for his Majeſty.

It were good, that after he is come into the Hall, ſo that he may perceive he muſt go to trial, and ſhall be retired into the place appointed, till the court call for him, then the Lieutenant ſhould tell him roundly, that if in his ſpeeches he ſhall tax the King *(f)*, that the juſtice of England is, that he ſhall be

(f) The King's apprehenſion of being *taxed* by the Earl of Somerſet on his trial, though for what is not known, accounts in

be taken away, and the evidence ſhall go on without him; and then all the people will cry *away with him*; and then it ſhall not be in the King's will to ſave his life, the people will be ſo ſet on fire.

Indorſed,

Memorial touching the courſe to be had in my Lord of Somerſet's arraignment.

The heads of the charge againſt ROBERT *Earl of* SOMERSET.

Apoſtyle of the King:

YE will doe well to remember lykewayes in your præamble, that inſigne, that the only zeal to juſtice maketh me take this courſe. I

FIRST it is meant, that Somerſet ſhall not be charged with any thing by way of aggravation, otherwiſe than as conduceth to the proof of the impoiſonment.

in ſome meaſure for his Majeſty's extreme uneaſineſs of mind till that trial was over, and for the management uſed by Sir Francis Bacon in particular, as appears from his letters, to prevail upon the Earl to ſubmit to be tried, and to keep him in temper during his trial, *leſt he*, as the King expreſſed it in an apoſtille on Sir Francis's letter of the 28th of April, 1616, *upon the one part commit unpardonable errors, and I on the other ſeem to puniſh him in the ſpirit of revenge.* See more on this ſubject in Mr. Mallet's *Life of the Lord Chancellor Bacon*, who cloſes his remarks with a reference to a letter of Somerſet to the King, printed in the *Cabala*, and written in an high ſtyle of expoſtulation, and ſhewing, through the affected obſcurity of ſome expreſſions, that there was an important ſecret in his keeping, of which his Majeſty dreaded a diſcovery. The Earl and his Lady were releaſed from their confinement in the Tower in January 162½, the latter dying Auguſt 23, 1632, leaving one daughter Anne, then ſixteen years of age, afterwards married to William Lord Ruſſel, afterwards Earl, and at laſt Duke of Bedford. The Earl of Somerſet ſurviv'd his Lady ſeveral years, and died in July 1645, being interr'd on the 17th of that month in the church of St. Paul's, Covent-Garden.

have

have commandit you not to expatiate, nor digreſſe upon any other points, that maye not ſerve clearlie for probation or inducement of that point, quhairof he is accuſed.

For the proofs themſelves, they are diſtributed into four:

The firſt to prove the malice, which Somerſet bore to Overbury, which was the motive and ground of the impoiſonment.

The ſecond is to prove the preparations unto the impoiſonment, by plotting his imprisonment, placing his keepers, ſtopping acceſs of friends, &c.

The third is the acts of the impoiſonments themſelves.

And the fourth is acts ſubſequent, which do vehemently argue him to be guilty of the impoiſonment.

For the firſt two heads, upon conference, whereunto I called Serjeant Montagu and Serjeant Crew, I have taken them two heads to myſelf; the third I have allotted to Serjeant Montagu; and the fourth to Serjeant Crew.

In the firſt of theſe, to my underſtanding, is the only tenderneſs: for, on the one ſide, it is moſt neceſſary to lay a foundation, that the malice was a deep malice, mixed with fear, and not only matter of revenge upon his Lordſhip's quarrel: for *periculum periculo vincitur*; and the malice muſt have a proportion to the effect of it, which was the impoiſonment: ſo that if this foundation be not laid, all the evidence is weakened.

On the other ſide, if I charge him, or could charge him, by way of aggravation, with matters tending to diſloyalty or treaſon, then he is like to grow deſperate.

Therefore

Therefore I ſhall now ſet down perſpicuouſly what courſe I mean to hold, that your Majeſty may be pleaſed to direct and correct it, preſerving the ſtrength of the evidence: and this I ſhall now do, but ſhortly, and without ornament.

Firſt, I ſhall read ſome paſſages of Overbury's letters, namely theſe: "Is this the fruit of nine "years love, common ſecrets, and common dan-"gers?" In another letter; "Do not drive me to "extremity to do that, which you and I ſhall be "ſorry for?" In another letter; "Can you forget "him, between whom ſuch ſecrets of all kinds have "paſſed? &c."

Then will I produce Simcock, who depoſeth from Weſton's ſpeech, that Somerſet told Weſton, that, *if ever Overbury came out of priſon, one of them muſt die for it.*

Then will I ſay what theſe ſecrets were. I mean not to enter into particulars, nor to charge him with diſloyalty, becauſe he ſtands to be tried for his life upon another crime. But yet by ſome taſte, that I ſhall give to the peers in general, they may conceive of what nature thoſe ſecrets may be. Wherein I will take it for a thing notorious, that Overbury was a man, that always carried himſelf inſolently, both towards the Queen, and towards the late Prince: that he was a man, that carried Somerſet on in courſes ſeparate and oppoſite to the privy-council: that he was a man of nature fit to be an incendiary of a ſtate, full of bitterneſs and wildneſs of ſpeech and project: that he was thought alſo lately to govern Somerſet, inſomuch that in his own letters he vaunted, *that from him proceeded Somerſet's fortune, credit, and underſtanding.*

This courſe I mean to run in a kind of generality, putting the imputations rather upon Overbury than Somerſet; and applying it, that ſuch a nature was like to hatch dangerous ſecrets and practices. I mean to ſhew likewiſe what jargons there were and

cyphers between them, which are great badges of ſecrets of eſtate, and uſed either by princes and their miniſters of ſtate, or by ſuch, as practiſe againſt Princes. That your Majeſty was called *Julius*, in reſpect of your empire; the Queen *Agrippina* (though Somerſet now ſaith it was *Livia*, and that my Lady of Suffolk was *Agrippina*;) the Biſhop of Canterbury *Unctius*; Northampton, *Dominic*; Suffolk, firſt *Lorma*, after *Wolſey*; and many others: ſo as it appears they made a play both of your court and kingdom, and that their imaginations wrought upon the greateſt men and matters.

Neither will I omit Somerſet's breach of truſt to your Majeſty, in truſting Overbury with all the diſpatches, things, wherewith your council of eſtate itſelf was not many times privy or acquainted: and yet this man muſt be admitted to them, not curſorily, or by glimpſes, but to have them by him, to copy them, to regiſter them, to table them, &c.

Apoſtyle of the King.

This evidence cannot be given in without making me his accuſer, and that upon a very ſlight ground. As for all the ſubſequent evidences, they are all ſo little evident, as una litura *may ſerve thaime all.*

I ſhall alſo give in evidence, in this place, the ſlight account of that letter, which was brought to Somerſet by Aſhton, being found in the fields ſoon after the late Prince's death, and was directed to Antwerp, containing theſe words, that "the firſt branch was cut "from the tree; and that he "ſhould, ere long, ſend happier and joyfuller news."

Which is a matter I would not uſe, but that my Lord Coke, who hath filled this part with many frivolous things, would think all loſt, except he hear ſomewhat

ſomewhat of this kind. But this it is to come to the leavings of a buſineſs.

Nothing to Somerſet, and declared by Franklin after condemnation.

And for the reſt of that kind, as to ſpeak of that particular, that Mrs. Turner did at Whitehall ſhew to Franklin the man, who, as ſhe ſaid, poiſoned the Prince, which, he ſays, was a phyſician with a red beard.

Nothing to Somerſet, and a looſe conjecture.

That there was a little picture of a young man in white wax, left by Mrs. Turner with Forman the conjurer, which my Lord Coke doubted was the Prince.

No better than a gazette, or paſſage of Gallo Belgicus.

That the Vice-Roy of the Indies at Goa reported to an Engliſh factor, that Prince Henry came to an untimely death by a miſtreſs of his.

Nothing yet proved againſt Lowbell.

That Somerſet, with others, would have preferred Lowbell, the apothecary, to Prince Charles.

Nothing to Somerſet.

That the Counteſs laboured Forman and Greſham, the conjurers, to inforce the Queen by witchcraft to favour the Counteſs.

Declared by Franklin after condemnation.

That the Counteſs told Franklin, that when the Queen died, Somerſet ſhould have Somerſet-houſe.

Nothing to Somerſet.

That Northampton ſaid, the Prince, if ever he came to reign, would prove a tyrant.

Nothing to Somerſet.

That Franklin was moved by the Counteſs to go to the Palſgrave, and ſhould be furniſhed with money.

The particular reaſons, why I omit them, I have ſet in the margin; but the general is partly to do a kind of right to juſtice, and ſuch a ſolemn trial, in not giving that in evidence, which touches not the delinquent, or is not of weight; and partly to obſerve your Majeſty's direction, to give Somerſet no juſt occaſion of deſpair, or fluſhes.

But I pray your Majeſty to pardon me, that I have troubled your Majeſty with repeating them, leſt you ſhould hear hereafter, that Mr. Attorney hath omitted divers material parts of the evidence.

Indorſed,

Somerſet's buſineſs and charge, with his Majeſty's poſtiles.

To Sir GEORGE VILLIERS.

SIR,

YOUR man made good haſte; for he was with me yeſterday about ten of the clock the forenoon. Since I held him.

The reaſon, why I ſet ſo ſmall a diſtance of time between the uſe of the little charm, or, as his Majeſty better terms it, *the evangile* (*g*), and the day of his trial (*h*), notwithſtanding his Majeſty's being ſo far off, as advertiſement of ſucceſs and order thereupon could not go and come between, was chiefly, for that his Majeſty, from whom the overture of that

(*g*) Cicero, Epiſt. ad Atticum, Lib. XIII. Ep. 40. uſes this word, εὐαγγέλια; which ſignifies both good news, and the reward given to him, who brings good news. See Lib. II. Epiſt. 3.

(*h*) The Earl of Somerſet's.

firſt

firſt moved, did write but of a few hours, that this ſhould be done, which I turned into days. Secondly, becauſe the hope I had of effect by that mean, was rather of attempting him at his arraignment, than of confeſſion before his arraignmet. But I ſubmit it to his Majeſty's better judgement.

The perſon, by your firſt deſcription, which was without name, I thought had been meant of Packer (*i*): but now I perceive it is another, to me unknown, but, as it ſeemeth, very fit. I doubt not but he came with ſufficient warrant to Mr. Lieutenant to have acceſs. In this I have no more to do, but to expect to hear from his Majeſty how this worketh.

The letter from his Majeſty to myſelf and the Serjeants I have received, ſuch as I wiſhed; and I will ſpeak with the commiſſioners, that he may, by the Lieutenant, underſtand his Majeſty's care of him, and the tokens herein of his Majeſty's compaſſion towards him.

I ever had a purpoſe to make uſe of that circumſtance, that Overbury, the perſon murdered, was his Majeſty's priſoner in the Tower; which indeed is a ſtrong preſſure of his Majeſty's juſtice. For Overbury is the firſt priſoner murdered in the Tower, ſince the murder of the young Princes by Richard the Third, the tyrant.

I would not trouble his Majeſty with any points of preamble, nor of the evidence itſelf, more than that part nakedly, wherein was the tenderneſs, in which I am glad his Majeſty, by his poſtils, which he returned to me, approveth my judgement.

Now I am warranted, I will not ſtick to ſay openly, I am commanded, not to exaſperate, nor to aggravate the matter in queſtion of the impoiſonment with any other collateral charge of diſloyalty, or

(*i*) John, of whom there are ſeveral letters in Winwood's *Memorials*, Vol. II.

otherwiſe; wherein, beſides his Majeſty's principal intention, there will be ſome uſe to ſave the former bruits of Spaniſh matters (*k*).

There is a direction given to Mr. Lieutenant by my Lord Chancellor and myſelf, that as yeſterday Mr. Whiting (*l*), the preacher, a diſcreet man, and one that was uſed to Helwiſſe, ſhould preach before the Lady (*m*), and teach her, and move her generally to a clear confeſſion. That after the ſame preacher ſhould ſpeak as much to him at his going away in private; and ſo proof to be made, whether this good mean, and the laſt night's thoughts, will produce any thing. And that this day the Lieutenant ſhould declare to her the time of her trial, and likewiſe of his trial, and perſuade her, not only upon Chriſtian duty, but as good for them both, that ſhe deal clearly touching him, whereof no uſe can be made, nor need to be made, for evidence, but much uſe may be made for their comfort.

It is thought, at the day of her trial the Lady will confeſs the indictment; which if ſhe do, no evidence ought to be given. But becauſe it ſhall not be a dumb ſhew, and for his Majeſty's honour in ſo ſolemn an aſſembly, I purpoſe to make a declaration of the proceedings of this great work of juſtice, from the beginning to the end, wherein, nevertheleſs, I

(*k*) Secretary Winwood, in a private letter to Sir Thomas Edmondes, dated March 26, 1616, mentions, that there was great expectation, that Sir John Digby, juſt then returned from Spain, where he had been Ambaſſador, could charge the Earl of Somerſet with *ſome treaſons and plots with Spain. Hiſtorical View of the Negotiations between the Courts of England, France, and Bruſſels*, p. 392.

(*l*) John Whiting, D. D. Rector of St. Martin Vintry, in London, and Vicar of Eaſt-Ham in Eſſex, Prebendary of Ealdſtreet in the church of St. Paul's, and Chaplain to King James I. He attended Sir Gervaſe Helwiſſe, who had been Lieutenant of the Tower, at his execution upon Tower-Hill, on Monday the 20th of November, 1615, for the murder of Sir Thomas Overbury.

(*m*) Frances, Counteſs of Somerſet,

will

will be careful no ways to prevent or diſcover the evidence of the next day.

In this my Lord Chancellor and I have likewiſe uſed a point of providence: for I did forecaſt, that if in that narrative, by the connection of things, any thing ſhould be ſpoken, that ſhould ſhew him guilty, ſhe might break forth into paſſionate proteſtations for his clearing; which, though it may be juſtly made light of, yet it is better avoided. Therefore my Lord Chancellor and I have deviſed, that upon the entrance into that declaration ſhe ſhall, in reſpect of her weakneſs, and not to add farther affliction, be withdrawn.

It is impoſſible, neither is it needful, for me, to expreſs all the particulars of my care in this buſineſs. But I divide myſelf into all cogitations as far as I can foreſee; being very glad to find, that his Majeſty doth not only accept well of my care and advices, but that he applieth his directions ſo fitly, as guideth me from time to time.

I have received the commiſſions ſigned.

I am not forgetful of the goods and eſtate of Somerſet, as far as is ſeaſonable to inquire at this time. My Lord Coke taketh upon him to anſwer for the jewels, being the chief part of his moveable value: and this, I think, is done with his Majeſty's privity. But my Lord Coke is a good man to anſwer for it.

God ever preſerve and proſper you. I reſt,

Your true and devoted ſervant,

May 10, Friday at 7 of the clock in the morning [1616.]

FR. BACON.

The charge of the Attorney General, Sir FRANCIS BACON, *againſt* FRANCES, *Counteſs of* SOMERSET, *intended to have been ſpoken by him at her arraignment, on Friday, May* 24, 1616, *in caſe ſhe had pleaded not guilty* (*n*).

IT may pleaſe your Grace, my Lord High Steward of England (*o*), and you my Lords the Peers.

You have heard the indictment againſt this Lady well opened; and likewiſe the point in law, that might make ſome doubt, declared and ſolved; wherein certainly the policy of the law of England is much to be eſteemed, which requireth and reſpecteth form in the indictment, and ſubſtance in the proof.

This ſcruple it may be hath moved this Lady to plead not guilty, though for the proof I ſhall not need much more than her own confeſſion, which ſhe hath formerly made, free and voluntary, and therein given glory to God and Juſtice. And certainly confeſſion, as it is the ſtrongeſt foundation of Juſtice, ſo it is a kind of corner-ſtone, whereupon Juſtice and Mercy may meet.

The proofs, which I ſhall read in the end for the ground of your verdict and ſentence, will be very ſhort; and, as much as may, ſerve to ſatisfy your honours and conſciences for the conviction of this Lady, without waſting of time in a caſe clear and confeſſed; or ripping up guiltineſs againſt one, that hath proſtrated herſelf by confeſſion; or preventing or deflowering too much of the evidence. And therefore the occaſion itſelf doth admoniſh me to ſpend this day rather in declaration, than in evidence, giving God and the King the honour, and your Lordſhips and the hearers the contentment, to ſet before you

(*n*) She pleaded guilty, on which occaſion the Attorney General ſpoke a charge ſomewhat different from this, printed in his works.

(*o*) Thomas Egerton, Viſcount Elleſmere, Lord High Chancellor.

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the proceeding of this excellent work of the King's juſtice, from the beginning to the end; and ſo to conclude with the reading the confeſſions and proofs.

My Lords, this is now the ſecond time *(p)* within the ſpace of thirteen years reign of our happy Sovereign, that this high tribunal-ſeat of Juſtice, ordained for the trial by peers, hath been opened and erected; and that, with a rare event, ſupplied and exerciſed by one and the ſame perſon; which is a great honour to you, my Lord Steward.

In all this mean time, the King hath reigned in his white robe, not ſprinkled with any drop of blood of any of his nobles of this kingdom. Nay, ſuch hath been the depths of his mercy, as even thoſe noblemen's bloods, (againſt whom the proceeding was at Wincheſter,) Cobham and Grey, were attainted and corrupted, but not ſpilt or taken away; but that they remained rather ſpectacles of juſtice in their continual impriſonment, than monuments of juſtice in the memory of their ſuffering.

It is true, that the objects of his juſtice then and now were very differing. For then, it was the revenge of an offence againſt his own perſon and crown, and upon perſons, that were malcontents, and contraries to the ſtate and government. But now, it is the revenge of the blood and death of a particular ſubject, and the cry of a priſoner. It is upon perſons, that were highly in his favour; whereby his Majeſty, to his great honour, hath ſhewed to the world (as if it were written in a ſun-beam) that he is truly the Lieutenant of him, with whom there is no reſpect of perſons; that his affections royal are above his affections private: that his favours and nearneſs about him are not like popiſh ſanctuaries to privilege malefactors: and that his being the beſt maſter of the world doth not let him from being the beſt King of

(p) The firſt time was on the trials of the Lords Cobham and Grey, in November 1603.

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the world. His people, on the other ſide, may ſay to themſelves, *I will lie down in peace; for God and the King and the law protect me againſt great and ſmall.* It may be a diſcipline alſo to great men, eſpecially ſuch, as are ſwoln in fortunes from ſmall beginnings, that the King is as well able to level mountains, as to fill vallies, if ſuch be their deſert.

But to come to the preſent caſe; the great frame of juſtice, my Lords, in this preſent action, hath a vault, and it hath a ſtage: a vault, wherein theſe works of darkneſs were contrived; and a ſtage with ſteps, by which they were brought to light. And therefore I will bring this work of juſtice to the period of this day; and then go on with this day's work.

Sir Thomas Overbury was murthered by poiſon in the 15th of September, 1613, 11 *Reg.* This foul and cruel murther did, for a time, cry ſecretly in the ears of God; but God gave no anſwer to it, otherwiſe than by that voice, which ſometimes he uſeth, which is *vox populi*, the ſpeech of the people. For there went then a murmur, that Overbury was poiſoned: and yet this ſame ſubmiſs and ſoft voice of God, the ſpeech of the vulgar people, was not without a counter-tenor, or counter-blaſt of the devil (who is the common author both of murder and ſlander:) for it was given out, that Overbury was dead of a foul diſeaſe, and his body, which they had made a *corpus Judaicum* with their poiſons, ſo as it had no whole part, muſt be ſaid to be leproſed with vice, and ſo his name poiſoned as well as his body. For as to diſſoluteneſs, I never heard the gentleman noted with it: his faults were inſolency, and turbulency, and the like of that kind: the other part of the ſoul not the voluptuous.

Mean time, there was ſome induſtry uſed (of which I will not now ſpeak) to lull aſleep thoſe, that were the revengers of blood; the father and the brother

ther of the murthered. And in theſe terms things ſtood by the ſpace almoſt of two years; during which time, God ſo blinded the two great procurers, and dazzled them with their own greatneſs, and bind and nail faſt the actors and inſtruments, with ſecurity upon their protection, as neither the one looked about them, nor the other ſtirred or fled, nor were conveyed away; but remained here ſtill, as under a privy arreſt of God's judgments; inſomuch as Franklin, that ſhould have been ſent over to the Palſgrave with good ſtore of money, was, by God's providence, and the accident of a marriage of his, diverted and ſtayed.

But about the beginning of the progreſs laſt ſummer, God's judgments began to come out of their depths: and as the revealing of murthers is commonly ſuch, as a man may ſay, *a Domino hoc factum eſt*; it is God's work, and it is marvellous in our eyes: ſo in this particular it was moſt admirable; for it came forth by a compliment and matter of courteſy.

My Lord of Shrewſbury (*q*), that is now with God, recommended to a counſellor, of ſtate of eſpecial truſt by his place, the late Lieutenant Helwiſſe (*r*),

(*q*) Gilbert, Earl of Shrewſbury, Knight of the Garter, who died May 8, 1616.

(*r*) Sir Gervaſe Helwiſſe, appointed Lieutenant of the Tower, upon the removal of Sir William Waad on the 6th of May, 1613, [*Reliquiæ Wottonianæ*, p. 412, 3d Edit. 1672.] Mr. Chamberlain, in a MS. letter to Sir Dudley Carleton, dated at London, May 13, 1613, ſpeaks of Sir Gervaſe's promotion in theſe terms. "One "Sir Gervaſe Helwiſſe of Lincolnſhire, ſomewhat an unknown "man, is put into the place [of Sir W. Waad's] by the favour "of the Lord Chamberlain [Earl of Somerſet] and his Lady. "The gentleman is of too mild and gentle a diſpoſition for ſuch "an office. He is my old friend and acquaintance in France, "and lately renewed in town, where he hath lived paſt a year, "nor followed the court many a day." Sir Henry Wotton, in a letter of the fourteenth of May, 1613, [*ubi ſupra*, p. 13.] ſays, that Sir Gervaſe had been before *one of the Penſioners*.

only

only for acquaintance as an honeſt worthy gentleman; and deſired him to know him, and to be acquainted with him. That counſellor anſwered him civilly, that my Lord did him a favour; and that he ſhould embrace it willingly: but he muſt let his Lordſhip know, that there did lie a heavy imputation upon that gentleman, Helwiſſe; for that Sir Thomas Overbury, his priſoner, was thought to have come to a violent and untimely death. When this ſpeech was reported back by my Lord of Shrewſbury to Helwiſſe, *perculit illico animum*, he was ſtricken with it; and being a politic man, and of likelihood doubting, that the matter would break forth at one time or other, and that others might have the ſtart of him, and thinking to make his own caſe by his own tale, reſolved with himſelf, upon this occaſion, to diſcover to my Lord of Shrewſbury and that counſellor, that there was an attempt, whereto he was privy, to have poiſoned Overbury by the hands of his under-keeper, Weſton; but that he checked it, and put it by, and diſſuaded it, and related ſo much to him indeed: but then he left it thus, that was but an attempt, or untimely birth, never executed; and, as if his own fault had been no more, but that he was honeſt in forbidding, but fearful of revealing and impeaching or accuſing great perſons; and ſo with this fine point thought to ſave himſelf.

But that great counſellor of ſtate wiſely conſidering, that by the Lieutenant's own tale it could not be ſimply a permiſſion or weakneſs; for that Weſton was never diſplaced by the Lieutenant, notwithſtanding that attempt: and coupling the ſequel by the beginning, thought it matter fit to be brought before his Majeſty, by whoſe appointment Helwiſſe ſet down the like declaration in writing.

Upon this ground, the King playeth Solomon's part, *Gloria Dei celare rem*; *et Gloria Regis inveſtigare rem*; and ſets down certain papers of his own hand,

which I might term to be *claves juſtitiæ*, keys of juſtice; and may ſerve for a precedent both for Princes to imitate, and for a direction for Judges to follow: and his Majeſty carried the balance with a conſtant and ſteady hand, evenly and without prejudice, whether it were a true accuſation of the one part, or a practice and factious device of the other: which writing, becauſe I am not able to expreſs according to the worth thereof, I will deſire your Lordſhip anon to hear read.

This excellent foundation of juſtice being laid by his Majeſty's own hand, it was referred unto ſome counſellors to examine farther, who gained ſome degrees of light from Weſton, but yet left it imperfect.

After it was referred to Sir Edward Coke, Chief Juſtice of the King's Bench, as a perſon beſt practiſed in legal examinations, who took a great deal of indefatigable pains in it, without intermiſſion, having, as I have heard him ſay, taken at leaſt three hundred examinations in this buſineſs.

But theſe things were not done in a corner. I need not ſpeak of them. It is true, that my Lord Chief Juſtice, in the dawning and opening of the light, finding that the matter touched upon theſe great perſons, very diſcreetly became ſuitor to the King to have greater perſons than his own rank joined with him. Whereupon, your Lordſhip, my Lord High Steward of England, to whom the King commonly reſorteth *in arduis*, and my Lord Steward of the King's houſe, and my Lord Zouch, were joined with him.

Neither wanted there this while practice to ſuppreſs teſtimony, to deface writings, to weaken the King's reſolution, to ſlander the juſtice, and the like. Nay when it came to the firſt ſolemn act of juſtice, which was the arraignment of Weſton, he had his leſſon to ſtand mute; which had arreſted the wheel of juſtice. But this dumb devil, by the means of

ſome

ſome diſcreet divines, and the potent charm of juſtice, together, was caſt out. Neither did this poiſonous adder ſtop his ear to thoſe charms, but relented, and yielded to his trial.

Then follow the proceedings of juſtice againſt the other offenders, Turner, Helviſſe, Franklin.

But all theſe being but the organs and inſtruments of this fact, the actors and not the authors, juſtice could not have been crowned without this laſt act againſt theſe great perſons. Elſe Weſton's cenſure or prediction might have been verified, when he ſaid, he hoped the ſmall flies ſhould not be caught, and the great eſcape. Wherein the King being in great ſtraits, between the defacing of his honour and of his creature, hath, acording as he uſeth to do, choſen the better part, reſerving always mercy to himſelf.

The time alſo of this juſtice hath had its true motions. The time until this Lady's deliverance was due unto honour, Chriſtianity, and humanity, in reſpect of her great belly. The time ſince was due to another kind of deliverance too; which was, that ſome cauſes of eſtate, that were in the womb, might likewiſe be brought forth, not for matter of juſtice, but for reaſon of ſtate. Likewiſe this laſt procraſtination of days had the like weighty grounds and cauſes. And this is the true and brief repreſentation of this extreme work of the King's juſtice.

Now for the evidence againſt this Lady, I am ſorry I muſt rip it up. I ſhall firſt ſhew you the purveyance or proviſions of the poiſons; that they were ſeven in number brought to this Lady, and by her billetted and laid up till they might be uſed: and this done with an oath or vow of ſecrecy, which is like the Egyptian darkneſs, a groſs and palpable darkneſs, that may be felt.

Secondly, I ſhall ſhew you the exhibiting and ſorting of this ſame number or volley of poiſons: white arſenic

arſenic was fit for ſalt, becauſe it is of like body and colour. The poiſon of great ſpiders, and of the venomous fly cantharides, was fit for pig's ſauce, or partridge ſauce, becauſe it reſembled pepper. As for mercury-water, and other poiſons, they might be fit for tarts, which is a kind of hotch-pot, wherein no one colour is ſo proper: and ſome of theſe were delivered by the hands of this Lady, and ſome by her direction.

Thirdly, I ſhall prove and obſerve unto you, the cautions of theſe poiſons; that they might not be too ſwift, leſt the world ſhould ſtartle at it by the ſuddenneſs of the diſpatch: but they muſt abide long in the body, and work by degrees: and for this purpoſe there muſt be eſſays of them upon poor beaſts, &c.

And laſtly, I ſhall ſhew you the rewards of this impoiſonment, firſt demanded by Weſton, and denied, becauſe the deed was not done; but after the deed done and perpetrated, that Overbury was dead, then performed and paid to the value of 1801.

And ſo without farther aggravation of that, which in itſelf bears its own tragedy, I will conclude with the confeſſions of this Lady herſelf, which is the ſtrongeſt ſupport of juſtice; and yet is the foot-ſtool of mercy. For, as the Scripture ſays, *Mercy and Truth have kiſſed each other*; there is no meeting or greeting of mercy, till there be a confeſſion, or trial of truth. For theſe read,

Franklin, November 16,
Franklin, November 17,
Rich. Weſton, October 1,
Rich. Weſton, October 2,
Will. Weſton, October 2,
Rich. Weſton, October 3,
Helwiſſe, October 2,
The Counteſs's letter without date,
The Counteſs's confeſſion, January 8.

Mr.

Mr. TOBIE MATTHEW *to Sir* FRANCIS BACON, *Attorney General.*

May it pleaſe your Honour,

SUCH, as know your Honour, may congratulate with you the favour, which you have lately received from his Majeſty, of being made a Counſellor of State (*s*): but as for me, I muſt have leave to congratulate with the council-table, in being ſo happy as to have you for an aſſeſſor. I hope theſe are but beginnings, and that the marriage, which now I perceive that Fortune is about to make with Virtue, will be conſummate in your perſon. I cannot diſſemble, though I am aſhamed to mention, the exceſſive honour, which you have vouchſafed to do unto my picture. But ſhame ought not to be ſo hateful as ſin; and without ſin I know not how to conceal the extreme obligation, into which I am entered thereby, which is incomparably more than I can expreſs, and no leſs than as much as I am able to conceive. And as the copy is more fortunate than the original, becauſe it hath the honour to be under your eye; ſo the original being much more truly your's than the copy can be, aſpires by having the happineſs to ſee you, to put the picture out of countenance.

I underſtand by Sir George Petre (*t*), who is arrived here at the Spa, and is ſo wiſe as to honour you extremely, though he have not the fortune to be known to your Honour, that he had heard how my Lord of Canterbury had been moved in my behalf; and that he gave way unto my return. This,

(*s*) Sir Francis Bacon was ſworn at Greenwich of the privy-council, June 9, 1616.

(*t*) Grandſon of John, the firſt Lord Petre, and ſon of William, ſecond Baron of that name.

if

if it be true, cannot have happened without ſome endeavour of your Honour; and therefore, howſoever I have not been particularly advertiſed, that your Honour had delivered my letter to his Grace; yet now methinks I do as good as know it, and dare adventure to preſent you with my humbleſt thanks for the favour. But the main point is, how his Majeſty ſhould be moved; wherein my friends are ſtraining courteſy; and unleſs I have your Honour for a maſter of the ceremonies, to take order, who ſhall begin, all the benefit, that I can reap by this negotiation, will be to have the reputation of little judgment in attempting that, which I was not able to obtain; and that howſoever I have ſhot fair, I know not how to hit the mark. I have been directed by my Lord Roos, who was the firſt mover of this ſtone, to write a letter, which himſelf would deliver to the Maſter of the Horſe (*u*), who doth me the honour to wiſh me very well: and I have obeyed his Lordſhip, and beſeech your Honour, that you will be pleaſed to prevent, or to accompany, or ſecond it with your commendation, leſt otherwiſe the many words, that I have uſed, have but the virtue of a ſingle *o*, or cypher. But indeed, if I had not been over-weighed by the authority of my Lord Roos's commandment, I ſhould rather have reſerved the Maſter of the Horſe's favour to ſome other uſe afterward. In conformity whereof, I have alſo written to his Lordſhip; and perhaps he will thereupon forbear to deliver my letter to the Maſter of the Horſe: whereas, I ſhould be the leſs ſorry, if your Honour's ſelf would not think it inconvenient to make the ſuit of my return to his Majeſty; in which caſe I ſhould, to my extreme contentment, have all my obligations to your Honour only.

(*u*) Sir George Villiers, who was appointed to that office, January 4, 161⅞.

His Majeſty's being now in progreſs will give ſome impediment to my ſuit, unleſs either it be my good fortune, that your Honour do attend his perſon; or elſe that you will be pleaſed to command ſome one of the many ſervants your Honour hath in court, to procure the expedition of my cauſe; wherein I can foreſee no difficulty, when I conſider the intereſt, which your Honour alloweth me in your favour, and my innocent carriage abroad for ſo many years; whereunto all his Majeſty's miniſters, who have known me, I am ſure, will give an atteſtation, according to the contents of my letter to his Grace of Canterbury.

If I durſt, I would moſt humbly intreat your Honour to be pleaſed, that ſome ſervant of your's may ſpeedily advertiſe me, whether or no his Grace of Canterbury hath received my letter; what his anſwer was; and what I may hope in this my ſuit. I remember, that the laſt words, which I had the honour to hear from your mouth, were, that if I continued any time, free both from diſloyalty and prieſthood, your Honour would be pleaſed to make yourſelf the interceſſor for my return. Any letter ſent to Mr. Trumball for me will come ſafely and ſpeedily to my hands.

The term doth now laſt with your Honour all the year long; and therefore the ſooner I make an end, the better ſervice I ſhall do you. I preſume to kiſs your hands, and continue

Your Honour's moſt intirely, and

Spa, this 16th of July, *ſtylo novo*, 1616.

humbly ever at commandment,

TOBIE MATTHEW.

POSTSC.

POSTSC. It is no ſmall penance, that I am forced to apparel my mind in my man's hand, when it ſpeaks to your Honour. But God Almighty will have it ſo, through the ſhaking I have in my right hand; and I do little leſs than want the uſe of my fore finger.

To Sir FRANCIS BACON, *Attorney General.*

It may pleaſe your Honour,

I PRESUMED to importune your Honour with a letter of the 16th of this month, whereby I ſignified, how I had written to the Maſter of the Horſe, that he would be pleaſed to move his Majeſty for my return into England; and how that I had done it upon the direction of my Lord Roos, who offered to be the deliverer thereof. Withal I told your Honour, that I expreſſed thereby an act rather of obedience, than prudence, as not holding his Lordſhip a fit man, whom, by preſenting that letter, the King might peradventure diſcover to be my favourer in this buſineſs. In regard whereof I beſought him, that, howſoever I had complied with his command in writing, yet he would forbear the delivery: and I gave him divers reaſons for it. And both in contemplation of thoſe reaſons, as alſo of the hazard of miſcarriage, that letters do run into between theſe parts and thoſe, I have now thought fit to ſend your Honour this incloſed, accompanied with a moſt humble intreaty, that you will be pleaſed to put it into the Maſter of the Horſe's hands, with ſuch a recommendation as you can give. Having read it, your Honour may be pleaſed to ſeal it; and if his Honour have received the former by other hands, this may ſerve in the nature of a duplicate or copy: if not, it may be the original. And indeed, though it ſhould be but the

copy, if it may be touched by your Honour, it would have both greater grace and greater life, than the principal itſelf; and therefore, howſoever, I humbly pray, that this may be delivered.

If my buſineſs ſhould be remitted to the council-table (which yet, I hope, will not be) I am moſt a ſtranger to my Lord Chancellor and my Lord Chamberlain (*w*), of whom yet I truſt, by means of your Honour's good word in my behalf, that I ſhall receive no impediment.

The bearer, Mr. Becher (*x*), can ſay what my carriage hath been in France, under the eye of ſeveral Ambaſſadors; which makes me the more glad to uſe him in the delivery of this letter to your Honour: and if your Honour may be pleaſed to command me any thing, he will convey it to my knowledge.

I hear, to my unſpeakable joy of heart, how much power you have with the Maſter of the Horſe; and how much immediate favour you have alſo with his moſt excellent Majeſty: ſo that I cannot but hope for all good ſucceſs, when I conſider withal the protection, whereinto you have been pleaſed to take me, the

Moſt humble and moſt obliged of

Spa, this laſt of July, *ſtylo novo*, 1616.

your Honour's many ſervants,

TOBIE MATTHEW.

(*w*) William, Earl of Pembroke.

(*x*) William, afterwards knighted. He had been ſecrerary to Sir George Calvert, Ambaſſador to the court of France, and was afterwards agent at that court; and at laſt made Clerk of the Council.

To

To Sir FRANCIS BACON, *Attorney General.*

May it pleaſe your Honour,

I HAVE been made happy by your Honour's noble and dear lines of the two and twentieth of July: and the joy, that I took therein, was only kept from exceſs by the notice they gave me of ſome intentions and advices of your Honour, which you have been pleaſed to impart to others of my friends, with a meaning, that they ſhould acquaint me with them; whereof they have intirely failed. And therefore, if ſtill it ſhould import me to underſtand what they were, I muſt be inforced to beg the knowledge of them from yourſelf. Your Honour hath, by this ſhort letter, delivered me otherwiſe from a great deal of laborious ſuſpence. For, beſides the great hope you give me of being ſo ſhortly able to do you reverence, I am come to know, that by the diligence of your favour towards me, my Lord of Canterbury hath been drawn to give way, and the Maſter of the Horſe hath been induced to move. That motion, I truſt, will be granted howſoever; but I ſhould be out of fear thereof, if, when he moves the King, your Honour would caſt to be preſent; that if his Majeſty ſhould make any difficulty, ſome ſuch reply, as is wont to come from you in ſuch caſes, may have power to diſcharge it.

I have been told rather confidently, than credibly (for in truth I am hardly drawn to believe it) that Sir Henry Goodere ſhould under hand (upon the reaſon of certain accounts, that run between him and me, wherein I might juſtly loſe my right, if I had ſo little wit, as to trouble your Honour's infinite buſineſs, by a particular relation thereof,) oppoſe himſelf to my return; and perform ill offices in conformity of

that unkind affection, which he is ſaid to bear me. But, as I ſaid, I cannot abſolutely believe it, though yet I could not ſo far deſpiſe the information, as not to acquaint your Honour with what I heard. I offer it not as a ruled caſe, but only as a query, as I have alſo done to Mr. Secretary Lake, in this letter, which I humbly pray your Honour may be given him, together with your beſt advice, how my buſineſs is to be carried in this conjuncture of his Majeſty's drawing near to London, at which time I ſhall receive my ſentence. I have learned from your Honour to be confident, that it will be pronounced in my favour: but, if the will of God ſhould be otherwiſe, I ſhall yet frame for myſelf a good proportion of contentment; ſince, howſoever I was ſo unfortunate, as that I might not enjoy my country, yet withal, I was ſo happy, as that my return thither was deſired and negotiated by the affection, which ſuch a perſon as yourſelf vouchſafed to bear me. When his Majeſty ſhall be moved, if he chance to make difficulty about my return, and offer to impoſe any condition, which, it is known, I cannot draw myſelf to digeſt; I deſire it may be remembered, that my caſe is common with many of his ſubjects, who breath in the air of their country, and that my caſe is not common with many, ſince I have lived ſo long abroad with diſgrace at home; and yet have ever been free, not only from ſuſpicion of practice, but from the leaſt dependence upon foreign Princes. My King is wiſe; and I hope, that he hath this juſt mercy in ſtore for me. God Almighty make and keep your Honour ever happy, and keep me ſo in his favour, as I will be ſure to continue

Your Honour's ever moſt obliged,

Antwerp, this firſt of Sept. *ſtylo novo*, 1616.

and devoted ſervant,

TOBIE MATTHEW.

POST-

POSTSCRIPT.

May it pleaſe your Honour,

I have written to Sir John Digby; and I think he would do me all favour, if he were handſomely put upon it. My Lady of Pembroke *(y)* hath written, and that very earneſtly, to my Lord Chamberlain in my behalf.

This letter goes by Mr. Robert Garret, to whom I am many ways beholden, for making me the beſt preſent, that ever I received, by delivering me your honour's laſt letter.

Sir FRANCIS BACON *to the* KING.

May it pleaſe your excellent Majeſty,

BECAUSE I have ever found, that in buſineſs the conſideration of perſons, who are *inſtrumenta animata*, is no leſs weighty than of matters, I humbly pray your Majeſty to peruſe this incloſed paper, containing a diligence, which I have uſed *in omnem eventum*. If Towerſon (*z*), as a paſſionate man, have overcome himſelf in his opinion, ſo it is. But if his company make this good, then I am very glad to ſee in the caſe, wherein we now ſtand, there is this hope left, and your Majeſty's honour preſerved in the *entier*. God have your Majeſty in his divine protection.

Your Majeſty's moſt devoted, and

moſt bounden ſervant, &c.

(y) Mary, widow of Henry, Earl of Pembroke, who died January 19, 160½, daughter of Sir Henry Sidney, and ſiſter of Sir Philip. She died September 25, 1621.

(*z*) Whoſe brother, Captain Gabriel Towerſon, was one of the Engliſh merchants executed by the Dutch at Amboyna, in 1623.

This is a ſecret to all men but my Lord Chancellor; and we go on this day with the new company, without diſcouraging them at all.

September 18, 1616.

Indorſed,

To the King, upon Towerſon's propoſitions about the cloth buſineſs.

RICHARD MARTIN, *Eſq*; (*a*) *to Sir* FRANCIS BACON.

Right Honourable,

MY attendance at court two days (in vain, conſidering the end of my journey) was no loſs unto me, ſeeing thereby I made the gain of the overture and aſſurance of your Honour's affection. Theſe comforts have given new life and ſtrength to my hopes, which before began to faint. I know, what your Honour promiſeth, you will undertake; and what you undertake, you ſeldom fail to compaſs; for ſuch proof of your prudence and induſtry your Honour hath of late times given to the ſwaying world. There is, to my underſtanding, no great intricacy in my affair, in which I plainly deſcry the courſe to the ſhore I would land at; to which neither I, nor any other, can attain, without the direction of our great maſter-pilot, who will not ſtir much without the beloved mate ſound the way. Both theſe none

(*a*) Born about 1570, entered a commoner of Broad-gate's Hall, now Pembroke-College, Oxford, in 1585, whence he removed to the Middle-Temple. In the Parliament of 1601, he ſerved for the borough of Barnſtable in Devon; and in the firſt parliament of King James I, he ſerved for Cirenceſter in Glouceſterſhire. He was choſen Recorder of London in September 1618; but died in the laſt day of the following month. He was much eſteemed by the men of learning and genius of that age.

can ſo well ſet awork as yourſelf, who have not only their ear, but their affection, and that with good right, as I hope, in time, to good and public purpoſe. It is fit likewiſe, that your Honour know all my advantages. The preſent incumbent is tied to me by firm promiſe, which gives an impediment to the competitors, whereof one already, according to the heavineſs of his name and nature, *petit deorſum*. And though I be a bad courtier, yet I know the ſtyle of gratitude, and ſhall learn as I am inſtructed. Whatſoever your Honour ſhall undertake for me, I will make good. Therefore I humbly and earneſtly intreat your beſt endeavour, to aſſure to yourſelf and your maſter a ſervant, who both can and will, though as yet miſtaken, advance his honour and ſervice with advantage. Your love and wiſdom is my laſt addreſs; and on the real nobleneſs of your nature (whereof there is ſo good proof) ſtands my laſt hope. If I now find a ſtop, I will reſolve it is *fatum Carthaginis*, and ſit down in perpetual peace. In this buſineſs I deſire all convenient ſilence; for though I can endure to be refuſed, yet it would trouble me to have my name blaſted. If your Honour return not, and you think it requiſite, I will attend at court. Mean time, with all humble and hearty wiſhes for increaſe of all happineſs, I kiſs your Honour's hands.

Your Honour's humbly at command,

September 27, 1616. R. MARTIN.

To the Right Honourable Sir Francis Bacon, Knight, his Majeſty's Attorney General, and one of his Majeſty's moſt honourable privy council, my ſingular patron, at court.

To the KING.

It may pleaſe your Majeſty,

THIS morning, according to your Majeſty's command, we have had my Lord Chief Juſtice of the King's Bench (*b*) before us, we being aſſiſted by all your learned council, except Serjeant Crew, who was then gone to attend your Majeſty. It was delivered unto him, that your Majeſty's pleaſure was, that we ſhould receive an account from him of the performance of a commandment of your Majeſty laid upon him, which was, that he ſhould enter into a view and retractation of ſuch novelties, and errors, and offenſive conceits, as were diſperſed in his *Reports*; that he had had good time to do it; and we doubted not but he had uſed good endeavour in it, which we deſired now in particular to receive from him.

His ſpeech was, that there were of his *Reports* eleven books, that contained about five hundred caſes: that heretofore, in other *Reports*, as namely, thoſe of Mr. Plowden (*c*), which he reverenced much, there hath been found nevertheleſs errors, which the wiſdom of time had diſcovered, and later judgments controlled; and enumerated to us four caſes in Plow-

(*b*) Sir Edward Coke.

(*c*) Edmund Plowden, born of an ancient family of that name at Plowden in Shropſhire, about the year 1518. He was educated at Cambridge and Oxford, in both which univerſities he ſtudied phyſic for ſome time, being admitted, in November 1552, by the latter to practiſe chirurgery and phyſic. After this, he applied himſelf to the ſtudy of the common law, in which he ſoon became eminent, and in 1557 was autumn reader to the Middle-Temple, and three years after lent reader, having been made Serjeant, October 27, 1558. He died February 6, 1584, at the age of ſixty ſeven, in the profeſſion of the Roman Catholic faith.

den,

den, which were erroneous: and thereupon delivered in to us the incloſed paper, wherein your Majeſty may perceive, that my Lord is an happy man, that there ſhould be no more errors in his five hundred caſes, than in a few caſes of Plowden. Your Majeſty may alſo perceive, that your Majeſty's direction to my Lord Chancellor and myſelf, and the travail taken by us and Mr. Sollicitor *(d)*, in following and performing your direction, was not altogether loſt; for that of thoſe three heads, which we principally reſpected, which were the rights and liberties of the church, your prerogative, and the juriſdiction of other your courts, my Lord hath ſcarcely fallen upon any, except it be the Prince's caſe, which alſo yet ſeemeth to ſtand but upon the grammatical, of French and Latin.

My Lord did alſo give his promiſe, which your Majeſty ſhall find in the end of his writing, thus far in a kind of common place or theſis, that it was fit for a man to go againſt his own conſcience, though erroneous, except his conſcience be firſt informed and ſatisfied.

The Lord Chancellor in the concluſion ſignified to my Lord Coke your Majeſty's commandment, that until report made, and your pleaſure thereupon known, he ſhall forbear his ſitting at Weſtminſter, &c. not reſtraining nevertheleſs any other exerciſe of his place of Chief Juſtice in private.

Thus having performed, to the beſt of our underſtanding, your royal commandment, we reſt ever

Your Majeſty's moſt faithful, and

moſt bounden ſervants, &c.

(d) Sir Henry Yelverton.

The Lord Viſcount VILLIERS *to Sir* FRANCIS BACON, *Attorney General.*

SIR,

I HAVE acquainted his Majeſty with my Lord Chancellor's and your report, touching my Lord Coke; as alſo with your opinion therein; which his Majeſty doth diſlike for theſe three reaſons: firſt, becauſe, that by this courſe you propound, the proceſs cannot have a beginning, till after his Majeſty's return; which, how long it may laſt after, no man knoweth. He therefore thinketh it too long and uncertain a delay, to keep the bench ſo long void from a Chief Juſtice. Secondly, although his Majeſty did uſe the council's advice in dealing with the Chief Juſtice upon his other miſdemeanors; yet he would be loth to leſſen his prerogative, in making the council judges, whether he ſhould be turned out of his place or no, if the caſe ſhould ſo require. Thirdly, for that my Lord Coke hath ſought means to kiſs his Majeſty's hands, and withal, to acquaint him with ſome things of great importance to his ſervice; he holdeth it not fit to admit him to his preſence, before theſe points be determined, becauſe that would be a grant of his pardon before he had his trial. And if thoſe things, wherewith he is to acquaint his Majeſty, be of ſuch conſequence, it would be dangerous and prejudicial to his Majeſty, to delay him too long. Notwithſtanding, if you ſhall adviſe of any other reaſons to the contrary, his Majeſty would have you, with all the ſpeed you can, to ſend them unto him; and in the mean time to keep back his Majeſty's letter, which is herein ſent unto you, from my Lord Coke's knowledge,

ledge, until you receive his Majeſty's further direction for your proceeding in his buſineſs.

And ſo I reſt,

Your ever aſſured friend at command,

Theobalds, the 3d of October, 1616.

GEORGE VILLIERS.

To the Right Honourable Sir Francis Bacon, Knight, his Majeſty's Attorney General, and of his moſt honourable privy council.

To the KING.

It may pleaſe your moſt excellent Majeſty,

WE have conſidered of the letters, which we received from your Majeſty, as well that written to us both, as that other written by my Lord Villiers to me, the Attorney, which I thought good to acquaint my Lord Chancellor withal, the better to give your Majeſty ſatisfaction. And we moſt humbly deſire your Majeſty to think, that we are, and ever ſhall be, ready to perform and obey your Majeſty's directions; towards which, the firſt degree is to underſtand them well.

In anſwer therefore to both the ſaid letters, as well concerning matter as concerning time, we ſhall in all humbleneſs offer to your Majeſty's high wiſdom the conſiderations following:

Firſt, we did conceive, that after my Lord Coke was ſequeſtered from the table and his circuits (*e*), when your Majeſty laid upon him your command-

(*e*) On the 30th of June, 1616. *Camdeni Annales Regis Jacobi I.* p. 19; and Peck, *Deſiderata Curioſa*, Vol. I. Lib. I. p. 18.

ment

ment for the expurging of his *Reports*, and commanded alſo our ſervice to look into them, and into other novelties introduced into the government, your Majeſty had in this your doing two principal ends:

The one, to ſee, if upon ſo fair an occaſion, he would make any expiation of his former faults; and alſo ſhew himſelf ſenſible of thoſe things in his *Reports*, which he could not but know were the likeſt to be offenſive to your Majeſty.

The other, to perform *de vero* this right to your crown and ſucceſſion, and your people alſo; that thoſe errors and novelties might not run on, and authorize by time, but might be taken away, whether he conſented to it or no.

But we did not conceive your Majeſty would have had him charged with thoſe faults of his book, or thoſe other novelties; but only would have had them repreſented to you for your better information.

Now your Majeſty ſeeth what he hath done, you can better judge of it than we can. If, upon this probation added to former matters, your Majeſty think him not fit for your ſervice, we muſt in all humbleneſs ſubſcribe to your Majeſty, and acknowledge, that neither his diſplacing (conſidering he holdeth his place but during your will and pleaſure) nor the choice of a fit man to be put in his room, are council-table matters, but are to proceed wholly from your Majeſty's great wiſdom, and gracious pleaſure. So that in this courſe, it is but the ſignification of your pleaſure, and the buſineſs is at an end as to him. Only there remaineth the actual expurgation or animadverſions of the books.

But if your Majeſty underſtand it, that he ſhall be charged, then, as your Majeſty beſt knoweth, juſtice requireth, that he be heard and called to his anſwer, and then your Majeſty will be pleaſed to conſider, before whom he ſhall be charged; whether before the body of your council (as formerly he was,) or

ſome

ſome ſelected commiſſioners; for we conceive your Majeſty will not think it convenient it ſhould be before us two only. Alſo the manner of his charge is conſiderable, whether it ſhall be verbal by your learned council, as it was laſt; or whether, in reſpect of the multiplicity of matters, he ſhall not have the collections, we have made in writing, delivered to him. Alſo the matter of his charge is likewiſe conſiderable, whether any of thoſe points of novelty, which by your Majeſty's commandment we collected, ſhall be made part of his charge; or only the faults of his books, and the prohibitions and *habeas corpus*, collected by my Lord of Canterbury. In all which courſe we foreſee length of time, not ſo much for your learned council to be prepared (for that is almoſt done already,) but becauſe himſelf, no doubt, will crave time of advice to peruſe his own books, and to ſee, whether the collections be true, and that he be juſtly charged; and then to produce his proofs, that thoſe things, which he ſhall be charged with, were not conceits or ſingularities of his own, but the acts of court, and other like things, tending to excuſation or extenuation; wherein we do not ſee, how the time of divers days, if not of weeks, can be denied him.

Now for time, (if this laſt courſe of charging him be taken) we may only inform your Majeſty thus much, that the abſence of a Chief Juſtice, though it ſhould be for a whole term, as it hath been often upon ſickneſs, can be no hindrance to common juſtice. For the buſineſs of the King's Bench may be diſpatched by the reſt of the Judges: his voice in the Star-Chamber may be ſupplied by any other Judge, that my Lord Chancellor ſhall call; and the trials by *niſi prius* may be ſupplied by commiſſion.

But as for thoſe great matters of diſcovery, we can ſay nothing more than this, that either they are old or new. If old, he is to blame for having kept

them ſo long: if new, or whatſoever, he may advertiſe your Majeſty of them by letter, or deliver them by word to ſuch counſellor, as your Majeſty will aſſign.

Thus we hope your Majeſty will accept of our ſincerity, having dealt freely and openly with your Majeſty, as becometh us: and when we ſhall receive your pleaſure and direction, we ſhall execute and obey the ſame in all things; ending with our prayers for your Majeſty, and reſting

Your Majeſty's moſt faithful, and

moſt bounden ſervants,

October 6, 1616.

T. Ellesmere Cane.
Francis Bacon.

Remembrances of his Majeſty's declaration, touching the Lord Coke.

THAT although the diſcharging and removing of his Majeſty's officers and ſervants, as well as the choice and advancement of men to place, be no council-table matters, but belong to his Majeſty's princely will, and ſecret judgement; yet his Majeſty will do his council this honour, that in his reſolutions of that kind, his council ſhall know them firſt before others, and ſhall know them, accompanied by their cauſes, making as it were a private manifeſto, or revealing of himſelf to them without parables.

Then to have the report of the Lords touching the buſineſs of the Lord Coke, and the laſt order of the council read.

That done, his Majeſty farther to declare, that he might, upon the ſame three grounds in the order mentioned,

mentioned, of deceit, contempt, and ſlander of his government, very juſtly have proceeded then, not only to have put him from his place of Chief Juſtice, but to have brought him in queſtion in the Star-Chamber, which would have been his utter overthrow; but then his Majeſty was pleaſed for that time only to put him off from the council-table, and from the public exerciſe of his place of Chief Juſtice, and to take farther time to deliberate.

That in this his Majeſty's deliberation (beſides the preſent occaſion) he had in ſome things looked back to the Lord Coke's former carriage, and in ſome things looked forward, to make ſome farther trial of him.

That for things paſſed, his Majeſty had noted in him a perpetual turbulent carriage, firſt towards the liberties of his church and eſtate eccleſiaſtical; towards his prerogative royal, and the branches thereof; and likewiſe towards all the ſettled juriſdictions of all his other courts, the High Commiſſion, the Star-Chamber, the Chancery, the Provincial Councils, the Admiralty, the Duchy, the Court of Requeſts, the Commiſſion of Inquiries, the new Boroughs of Ireland; in all which he had raiſed troubles and new queſtions; and laſtly, in that, which might concern the ſafety of his royal perſon, by his expoſition of the laws in caſes of high treaſon.

That, beſides the actions themſelves, his Majeſty, in his princely wiſdom, hath made two ſpecial obſervations of him; the one, that he having in his nature not one part of thoſe things, which are popular in men, being neither civil, nor affable, nor magnificent, he hath made himſelf popular by deſign only, in pulling down government. The other, that whereas his Majeſty might have expected a change in him, when he made him his own, by taking him to be of his council, it made no change at all, but to the worſe, he holding on all his former channel,

and running ſeparate courſes from the reſt of his council; and rather buſying himſelf in caſting fears before his council, concerning what they could not do, than joining his advice what they ſhould do.

That his Majeſty, deſirous yet to make a farther trial of him, had given him the ſummer's vacation to reform his *Reports*, wherein there be many dangerous conceits of his own uttered for law, to the prejudice of his crown, parliament, and ſubjects; and to ſee, whether by this he would in any part redeem his fault. But that his Majeſty hath failed of the redemption he deſired, but hath met with another kind of redemption from him, which he little expected. For as to the *Reports*, after three months time and conſideration, he had offered his Majeſty only five animadverſions, being rather a ſcorn, than a ſatisfaction to his Majeſty; whereof one was, that in the Prince's caſe he had found out the French ſtatute, which was *filz aiſné*, whereas the Latin was *primogenitus*; and ſo the Prince is Duke of Cornwall in French, and not Duke of Cornwall in Latin. And another was, that he had ſet Montagu to be Chief Juſtice in Henry VIII's time, when it ſhould have been in Edward VI's, and ſuch other ſtuff; not falling upon any of thoſe things, which he could not but know were offenſive.

That hereupon his Majeſty thought good to refreſh his memory, and out of many caſes, which his Majeſty cauſed to be collated, to require his anſwer to five, being all ſuch, as were but expatiations of his own, and no judgments; whereunto he returned ſuch an anſwer, as did either juſtify himſelf, or elude the matter, ſo as his Majeſty ſeeth plainly *antiquum obtinet.*

To Sir FRANCIS BACON, *Attorney General* (*).

SIR,

I HAVE kept your man here thus long, becauſe I thought there would have been ſome occaſion for me to write after Mr. Sollicitor General's being with the King. But he hath received ſo full inſtruction from his Majeſty, that there is nothing left for me to add in the buſineſs. And ſo I reſt,

Your faithful ſervant,

Royſton, the 13th of Octob. 1616. GEORGE VILLIERS.

To the Right Honourable Sir Francis Bacon, Knight, one of his Majeſty's Privy Council, and his Attorney General.

Sir EDMUND BACON *(f) to Sir* FRANCIS BACON, *Attorney General.*

My Lord,

I AM bold to preſent unto your hands by this bearer, whom the law calls up, ſome ſalt of wormwood, being uncertain, whether the regard of your health makes you ſtill continue the uſe of that medicine. I could wiſh it otherwiſe; for I am perſuaded, that all diuretics, which carry with them that punctuous nature and cauſtic quality by calci-

(*) Harl. MSS. Vol. 7006.

(f) Nephew of Sir Francis Bacon, being eldeſt ſon of Sir Nicolas Bacon, eldeſt ſon of Sir Nicolas Bacon, Lord Keeper of the Great Seal. Sir Edmund died without iſſue, April 10, 1649. There are ſeveral letters to him from Sir Henry Wotton, printed among the works of the latter.

nation, are hurtful to the kidneys, if not enemies to the other principal parts of the body. Wherein, if it ſhall pleaſe you, for your better ſatisfaction, to call the advice of your learned phyſicians, and that they ſhall reſolve of any medicine for your health, wherein my poor labour may avail you, you know where your faithful apothecary dwells, who will be ready at your commandment; as I am bound both by your favours to myſelf, as alſo by thoſe to my nephew, whom you have brought out of darkneſs into light, and, by what I hear, have already made him, by your bounty, a ſubject of emulation to his elder brother. We are all partakers of this your kindneſs towards him; and, for myſelf, I ſhall be ever ready to deſerve it by any ſervice, that ſhall lie in the power of

Your Lordſhip's poor nephew,

Redgrave, this 19th of October, 1616.

EDM. BACON.

For the Right Honourable Sir Francis Bacon, Knight, his Majeſty's Attorney General, and one of his moſt Honourable Privy Counſellors, be theſe delivered at London.

To the KING.

May it pleaſe your excellent Majeſty,

I SEND your Majeſty a form of diſcharge for my Lord Coke from his place of Chief Juſtice of your Bench (*g*).

(*g*) Sir Edward Coke was removed from that poſt on the 15th of November, 1616.

I ſend

I ſend alſo a warrant to the Lord Chancellor, for making forth a writ for a new Chief Juſtice, leaving a blank for the name to be ſupplied by your Majeſty's preſence; for I never received your Majeſty's expreſs pleaſure in it.

If your Majeſty reſolve of Montagu (*h*) (as I conceive and wiſh) it is very material, as theſe times are, that your Majeſty have ſome care, that the Recorder ſucceeding be a temperate and diſcreet man, and aſſured to your Majeſty's ſervice. If your Majeſty, without too much harſhneſs, can continue the place within your own ſervants, it is beſt: if not, the man, upon whom the choice is like to fall, which is Coventry (*i*), I hold doubtful for your ſervice; not but that he is a well learned, and an honeſt man; but he hath been, as it were, bred by Lord Coke, and ſeaſoned in his ways.

God preſerve your Majeſty.

Your Majeſty's moſt humble, and

moſt bounden ſervant,

FR. BACON.

I ſend not theſe things, which concern my Lord Coke, by my Lord Villiers, for ſuch reaſons as your Majeſty may conceive.

November 13, at noon [1616].

(*h*) Sir Henry Montagu, Recorder of London, who was made Lord Chief Juſtice of the King's Bench, November 16, 1616. He was afterwards made Lord Treaſurer, and created Earl of Mancheſter.

(*i*) Thomas Coventry, Eſq; afterwards Lord Keeper of the Great Seal.

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To the KING.

It may pleaſe your moſt excellent Majeſty,

I SEND your Majeſty, according to your commandment, the warrant for the review of Sir Edward Coke's *Reports*. I had prepared it before I received your Majeſty's pleaſure: but I was glad to ſee it was in your mind, as well as in my hands. In the nomination, which your Majeſty made of the Judges, to whom it ſhould be directed, your Majeſty could not name the Lord Chief Juſtice, that now is (*k*), becauſe he was not then declared: but you could not leave him out now, without diſcountenance.

I ſend your Majeſty the ſtate of Lord Darcy's cauſe (*l*) in the Star-Chamber, ſet down by Mr. Sollicitor,

(*k*) Sir Henry Montagu.

(*l*) This is juſt mentioned in a letter of Sir Francis Bacon to the Lord Viſcount Villiers, printed in his works; but is more particularly ſtated in the *Reports* of Sir Henry Hobart, Lord Chief Juſtice of the Common Pleas, p. 120, 121. Edit. London, 1658, fol. as follows. The Lord Darcy of the North ſued Gervaſe Markham, Eſq; in the Star-Chamber, in 1616, on this occaſion. They had hunted together, and the defendant and a ſervant of the plaintiff, one Beckwith, fell together by the ears in the field; and Beckwith threw him down, and was upon him cuffing him, when the Lord Darcy took his ſervant off, and reproved him. However, Mr. Markham expreſſing ſome anger againſt his Lordſhip, and charging him with maintaining his man, Lord Darcy anſwered, that he had uſed Mr. Markham kindly; for if he had not reſcued him from his man, the latter would have beaten him to rags. Mr. Markham, upon this, wrote five or ſix letters to Lord Darcy, ſubſcribing them with his name; but did not ſend them, and only diſperſed them unſealed in the fields; the purport of them being this: that whereas the Lord Darcy had ſaid, that, but for him, his ſervant Beckwith had beaten him to rags, he lied; and, as often as he ſhould ſpeak it, he lied; and that he would maintain this with his life: adding, that he had diſperſed thoſe letters, that his Lordſhip might find them, or ſomebody elſe bring them to him; and

Sollicitor (*m*), and mentioned in the letters, which your Majeſty received from the Lords. I leave all in humbleneſs to your Majeſty's royal judgement: but this is true, that it was the clear opinion of my Lord Chancellor, and myſelf, and the two Chief Juſtices, and others, that it is a cauſe moſt fit for the cenſure of the court, both for the repreſſing of duels, and the encouragement of complaints in courts of juſtice. If your Majeſty be pleaſed it ſhall go on, there reſteth but Wedneſday next for the hearing; for the laſt day of term is commonly left for orders, though ſometimes, upon extraordinary occaſion, it hath been ſet down for the hearing of ſome great cauſe.

I ſend your Majeſty alſo Baron Bromley's (*n*) report, which your Majeſty required; whereby your Majeſty may perceive things go not ſo well in Cumberland (which is the ſeat of the party your Majeſty named to me) as was conceived. And yet if there were land-winds, as there be ſea-winds, to bind men in, I could wiſh he were a little wind-bound, to keep him in the ſouth.

But while your Majeſty paſſeth the accounts of Judges in circuits, your Majeſty will give me leave to think of the Judges here in their upper region. And becauſe Tacitus ſaith well, *opportuni magnis conatibus tranſitus rerum*; now upon this change, when he, that letteth, is gone, I ſhall endeavour, to the beſt of my power and ſkill, that there may be a conſent and united mind in your Judges to ſerve you, and ſtrengthen your buſineſs. For I am perſuaded there cannot be a ſacrifice, from which there may come up to you

and that if his Lordſhip were deſirous to ſpeak with him, he might ſend his boy, who ſhould be well uſed. For this offence, Mr. Markham was cenſured, and fined 500 l. by the Star-Chamber.

(*m*) Sir Henry Yelverton.

(*n*) Edward Bromley, made one of the Barons of the Exchequer, February 6, $16\frac{8}{18}$.

a ſweeter odour of reſt, than this effect, whereof I ſpeak.

For this wretched murderer, Bertram (*o*), now gone to his place, I have, perceiving your Majeſty's good liking of what I propounded, taken order, that there ſhall be a declaration concerning the cauſe in the King's Bench, by occaſion of puniſhment of the offence of his keeper; and another in Chancery, upon the occaſion of moving for an order, according to his juſt and righteous report. And yet withal, I have ſet on work a good pen (*p*) (and myſelf will overlook it) for making ſome little pamphlet fit to fly abroad in the country.

For your Majeſty's proclamation touching the wearing of cloth, after I had drawn a form as near as I could to your Majeſty's direction, I propounded it to the Lords, my Lord Chancellor being then abſent; and after their Lordſhips good approbation, and ſome points by them altered, I obtained leave of them to confer thereupon with my Lord Chancellor and ſome principal Judges, which I did this afternoon; ſo as, it being now perfected, I ſhall offer it to the board to-morrow, and ſo ſend it to your Majeſty.

So humbly craving your Majeſty's pardon for troubling you with ſo long a letter, ſpecially being accompanied with other papers, I ever reſt,

Your Majeſty's moſt humble, and bounden ſervant,

FR. BACON.

This 21ſt of November, at ten at night [1616].

(*o*) John Bertram, a grave man, above ſeventy years of age, and of a clear reputation, according to Camden, *Annales Regis Jacobi I, p.* 21. He killed with a piſtol, in Lincoln's Inn, on the 12th of November 1616, Sir John Tyndal, a Maſter in Chancery, for having made a report againſt him in a cauſe, wherein the ſum contended for did not exceed 200l. He hanged himſelf in priſon on the 17th of that month. (*p*) Mr. Trott's *Remembrances*

Remembrances for the King before his going into Scotland.

May it pleaſe your Majeſty,

ALTHOUGH your journey be but as a long progreſs, and that your Majeſty ſhall be ſtill within your own land; and therefore any extraordinary courſe neither needful, nor in my opinion fit; yet nevertheleſs, I thought it agreeable to my duty and care of your ſervice, to put you in mind of thoſe points of form, which have relation, not ſo much to a journey into Scotland, as to an abſence from your city of London for ſix months, or to a diſtance from your ſaid city near three hundred miles; and that in an ordinary courſe, wherein I lead myſelf, by calling to conſideration what things there are, that require your ſignature, and may ſeem not ſo fit to expect ſending to and fro; and therefore to be ſupplied by ſome precedent warrants.

Firſt, your ordinary commiſſions of juſtice, of aſſize, and the peace, need not your ſignature, but paſs of courſe by your Chancellor. And your commiſſions of lieutenancy, though they need your ſignature, yet if any of the Lieutenants ſhould die, your Majeſty's choice and pleaſure may be very well attended. Only I ſhould think fit, under your Majeſt's correction, that ſuch of your Lord Lieutenants, as do not attend your perſon, were commanded to abide within their countries reſpectively.

For grants, if there were a longer ceſſation, I think your Majeſty will eaſily believe it will do no hurt. And yet if any be neceſſary, the continual diſpatches will ſupply that turn.

That, which is chiefly conſiderable, is proclamations, which all do require your Majeſty's ſignature, except you leave ſome warrant under your great ſeal to your ſtanding council here in London.

It

It is true, I cannot foreſee any caſe of ſuch ſudden neceſſity, except it ſhould be the apprehenſion of ſome great offenders, or the adjournment of the term upon ſickneſs, or ſome riot in the city, ſuch as hath been about the liberties of the Tower, or againſt ſtrangers, &c. But your Majeſty, in your great wiſdom, may perhaps think of many things, that I cannot remember, or foreſee: and therefore it was fit to refer thoſe things to your better judgement.

Alſo my Lord Chancellor's age and health is ſuch, as it doth not only admit, but require the accident of his death (*q*) to be thought of; which may fall in ſuch a time, as the very commiſſions of ordinary juſtice before mentioned, and writs, which require preſent diſpatch, cannot well be put off. Therefore your Majeſty may be pleaſed to take into conſideration, whether you will not have ſuch a commiſſion, as was prepared about this time twelvemonth in my Lord's extreme ſickneſs, for the taking of the ſeal into cuſtody, and for the ſeal of writs and commiſſions for ordinary juſtice, till you may adviſe of a Chancellor or Keeper of the Great Seal.

Your Majeſty will graciouſly pardon my care, which is aſſiduous; and it is good to err in caring even rather too much than too little. Theſe things, for ſo much as concerneth forms, ought to proceed from my place, as Attorney, unto which you have added ſome intereſt in matter, by making me of your privy council. But for the main they reſt wholly in your princely judgement, being well informed; becauſe miracles are ceaſed, though admiration will not ceaſe, while you live.

Indorſed, *February* 21, 1616.

(*q*) He died at the age of ſeventy, on the 15th of March, 161⅝, having reſigned the great ſeal on the 3d of that month; which was given on the 7th to Sir Francis Bacon.

Sir EDWARD COKE *to the* KING.

Moſt gracious Sovereign,

I THINK it now my duty to inform your Majeſty of the motives, that induced the Lord Chancellor and Judges to reſolve, that a murder or felony, committed by one Engliſhman upon another in a foreign kingdom, ſhall be puniſhed before the Conſtable and Marſhal here in England.

Firſt, in the book-caſe, in the 13th year of King Henry the Fourth, in whoſe reign the ſtatute was made, it is expreſsly ſaid, one liege-man was killed in Scotland by another liege-man; and the wife of him, that was killed, did ſue an appeal of murder in the Conſtable's Court of England. *Vide Statutum*, ſaith the book, *de primo Henrici IV.* Cap. 14. *Et contemporanea expoſitio eſt fortiſſima in Lege.* Stanford (*r*), an author without exception, ſaith thus, *fol. 65. a.*: "By the "ſtatute of Henry IV. Cap. 14. if any ſubject kill "another ſubject in a foreign kingdom, the wife of "him, that is ſlain, may have an appeal in Eng"land before the Conſtable and Marſhal: which is "a caſe *in terminis terminantibus.* And when the "wife, if the party ſlain have any, ſhall have an ap"peal, there, if he hath no wife, his next heir ſhall "have it."

If any fact be committed out of the kingdom, upon the high ſea, the Lord Admiral ſhall determine it. If in a foreign kingdom, the cognizance belongeth to the Conſtable, where the juriſdiction pertains to him.

(*r*) Sir William, the moſt ancient writer on the Pleas of the Crown. He was born in Middleſex, Auguſt 22, 1509, educated in the univerſity of Oxford, ſtudied the law at Gray's Inn, in which he was elected autumn reader in 1545, made Serjeant in 1552, the year following Queen's Serjeant, and, in 1554, one of the Juſtices of the Common Pleas. He died Auguſt 28, 1558.

And

And theſe authorities being ſeen by Bromley, Chancellor, and the two Chief Juſtices, they clearly reſolved the caſe, as before I have certified your Majeſty.

I humbly deſire I may be ſo happy, as to kiſs your Majeſty's hands, and to my exceeding comfort to ſee your ſacred perſon; and I ſhall ever reſt

Your Majeſty's faithful and loyal ſubject,

February 25 [161⅘].

EDW. COKE.

To the King's moſt Excellent Majeſty.

To the KING *(s).*

May it pleaſe your moſt excellent Majeſty,

MY continual meditations upon your Majeſty's ſervice and greatneſs have, amongſt other things, produced this paper incloſed, which I moſt humbly pray your Majeſty to excuſe, being that, which, in my judgement, I think to be good both *de vero*, and *ad populum*. Of other things I have written to my Lord of Buckingham. God for ever preſerve and proſper your Majeſty.

Your Majeſty's humble ſervant,
moſt devoted and moſt bounden,

March 23, 1616.

FR. BACON.

Indorſed,

My Lord Keeper to his Majeſty, with ſome additional inſtructions for Sir John Digby.

(s) His Majeſty had begun his journey towards Scotland, on the 14th of March, 161⅘.

Additional

Additional Inſtructions to Sir JOHN DIGBY (*t*).

BESIDES your inſtructions directory to the ſubſtance of the main errand, we would have you in the whole carriage and paſſages of the negotiation, as well with the King himſelf, as the Duke of Lerma, and council there, intermix diſcourſe upon fit occaſions, that may expreſs ourſelves to the effect following:

That you doubt not, but that both Kings, for that which concerns religion, will proceed ſincerely, both being intire and perfect in their own belief and way. But that there are ſo many noble and excellent effects, which are equally acceptable to both religions, and for the good and happineſs of the Chriſtian world, which may ariſe of this conjunction, as the union of both Kings in actions of ſtate, as may make the difference in religion as laid aſide, and almoſt forgotten.

As firſt, that it will be a means utterly to extinguiſh and extirpate pirates, which are the common enemies of mankind, and do ſo much infeſt Europe at this time.

Alſo, that it may be a beginning and ſeed (for the like actions heretofore have had leſs beginnings) of a holy war againſt the Turk; whereunto it ſeems the events of time do invite Chriſtian Kings, in reſpect of the great corruption and relaxation of diſcipline of war in that empire; and much more in reſpect of the utter ruin and enervation of the Grand Signor's navy and forces by ſea; which openeth a way (with congregating vaſt armies by land) to ſuffocate and ſtarve Conſtantinople, and thereby to put thoſe provinces into mutiny and inſurrection.

(*t*) Ambaſſador to the court of Spain.

Alſo,

Alſo, that by the ſame conjunction there will be erected a tribunal, or prætorian power, to decide the controverſies, which may ariſe amongſt the princes and eſtates of Chriſtendom, without effuſion of Chriſtian blood; for ſo much as any eſtate of Chriſtendom will hardly recede from that, which the two Kings ſhall mediate and determine.

Alſo, that whereas there doth, as it were, creep upon the ground a diſpoſition in ſome places to make popular eſtates and leagues to the diſadvantage of monarchies, the conjunction of the two Kings will be able to ſtop and impedite the growth of any ſuch evil.

Theſe diſcourſes you ſhall do well frequently to treat upon, and therewithal to fill up the ſpaces of the active part of your negotiation; repreſenting, that it ſtands well with the greatneſs and majeſty of the two Kings to extend their cogitations and the influence of their government, not only to their own ſubjects, but to the ſtate of the whole world beſides, ſpecially the Chriſtian portion thereof.

Account of Council Buſineſs.

FOR remedy againſt the infeſtation of pirates, than which there is not a better work under heaven, and therefore worthy of the great care his Majeſty hath expreſſed concerning the ſame, this is done:

Firſt, Sir Thomas Smith (*u*) hath certified in writing, on the behalf of the merchants of London, that

(*u*) of Biborough in Kent, ſecond ſon of Thomas Smith, of Oſtenhanger, of that county, Eſq. He had farmed the cuſtoms in the reign of Queen Elizabeth, and was ſent, by King James I, Ambaſſador to the court of Ruſſia, in March 160$\frac{4}{5}$; from whence returning, he was made governor of the Society of Merchants trading to the Eaſt Indies, Muſcovy, the

that there will be a contribution of 20,000 l. a year, during two years ſpace, towards the charge of repreſſing the pirates; wherein we do both conceive, that this, being as the firſt offer, will be increaſed. And we conſider alſo, that the merchants of the Weſt, who have ſuſtained in proportion far greater damage than thoſe of London, will come into the circle, and follow the example: and for that purpoſe letters are directed unto them.

Secondly, for the conſultation *de modo* of the arming and proceeding againſt them, in reſpect that my Lord Admiral (*w*) cometh not yet abroad, the table hath referred it to my Lord Treaſurer (*x*), the Lord Carew (*y*), and Mr. Chancellor of the Exchequer (*z*), who heretofore hath ſerved as Treaſurer of the Navy, to confer with the Lord Admiral, calling to that conference Sir Robert Manſell, and others expert in ſea-ſervice; and ſo to make report unto the board. At which time ſome principal merchants ſhall likewiſe attend for the Lords better information.

So that, when this is done, his Majeſty ſhall be advertiſed from the table: whereupon his Majeſty may be pleaſed to take into his royal conſideration, both the buſineſs in itſelf, and as it may have relation to Sir John Digby's embaſſage.

For ſafety and caution againſt tumults and diſorders in and near the city, in reſpect of ſome idle fly-

the French and Summer Iſlands; and Treaſurer for the colony and company of Virginia. He built a magnificent houſe at Deptford, which was burnt on the 30th of January, 1618; and in April, 1619, he was removed from his employments of Governor and Treaſurer, upon ſeveral complaints of frauds committed by him.

(*w*) Charles Howard, Earl of Nottingham.

(*x*) Thomas Howard, Earl of Suffolk.

(*y*) George, Lord Carew, who had been preſident of Munſter in Ireland, and was now Maſter of the Ordnance. He was created Earl of Totneſs by King Charles I, in 1626.

(*z*) Sir Fulk Grevile.

ing

ing papers, that were caſt abroad of a May-day, &c. the Lords have wiſely taken a courſe neither to nurſe it, or nouriſh it, by too much apprehenſion, nor much leſs to neglect due proviſion to make all ſure. And therefore order is given, that as well the trained bands, as the military bands, newly erected, ſhall be in muſter as well weekly, in the mean time, on every Thurſday (which is the day upon which May-day falleth) as in the May-week itſelf, the Monday, Tueſday, Wedneſday, and Thurſday. Beſides, that the ſtrength of the watch ſhall that day be increaſed.

For the buildings in and about London, order is given for four ſelected Aldermen, and four ſelected Juſtices, to have the care and charge thereof laid upon them; and they anſwerable for the obſerving of his Majeſty's proclamation, and for ſtop of all farther building; for which purpoſes the ſaid *Eſtus* are warned to be before the board, where they ſhall receive a ſtrait charge, and be tied to a continual account.

For the Provoſt's Marſhalls, there is already direction given for the city and the counties adjacent; and it ſhall be ſtrengthened with farther commiſſion, if there be cauſe.

For the proclamation, that Lieutenants (not being counſellors) Deputy-Lieutenants, Juſtices of the Peace, and gentlemen of quality, ſhould depart the city, and reſide in their countries; we find the city ſo dead of company of that kind for the preſent, as we account it out of ſeaſon to command that, which is already done. But after men have attended their buſineſs the two next terms, in the end of Trinity term, according to the cuſtom, when the Juſtices ſhall attend at the Star-Chamber, I ſhall give a charge concerning the ſame: and that ſhall be corroborated by a proclamation, if cauſe be.

For

For the information given againſt the Witheringtons, that they ſhould countenance and abet the ſpoils and diſorders in the middle ſhires; we find the informers to faulter and fail in their accuſation. Nevertherleſs, upon my motion, the table hath ordered, that the informer ſhall attend one of the clerks of the council, and ſet down articulately what he can ſpeak, and how he can prove it, and againſt whom, either the Witheringtons or others.

For the cauſes of Ireland, and the late letters from the Deputy (*a*), we have but entered into them, and have appointed Tueſday for a farther conſultation of the ſame; and therefore of that ſubject I forbear to write more for this preſent.

Indorſed,

March 30, 1617. *An account of council buſineſs.*

To the LORD KEEPER (*).

My honourable Lord,

WHEREAS the late Lord Chancellor thought it fit to diſmiſs out of the Chancery a cauſe touching Henry Skipwith to the common law, where he deſireth it ſhould be decided; theſe are to intreat your Lordſhip (*b*) in the gentleman's favour, that if

(*a*) Sir Oliver St. John, afterwards Viſcount Grandiſon.

(*) Harl. MSS. Vol. 7006.

(*b*) This is the firſt of many letters, which the Marquis of Buckingham wrote to Lord Bacon in favour of perſons, who had cauſes depending in, or likely to come into, the court of Chancery. And it is not improbable, that ſuch recommendations were conſidered in that age as leſs extraordinary and irregular, than they would appear now. The Marquis made the ſame kind of applications to Lord Bacon's ſucceſſor, the Lord Keeper Williams, in whoſe *Life*, by Biſhop Hacket, Part I, p. 107, we are informed, that "there was not a cauſe of i[illegible]ment, but, as "ſoon as it came to publication, one of the parties brought letters "from this mighty Peer, and the Lord Keeper's patron."

the adverſe party ſhall attempt to bring it now back again into your Lordſhip's court, you would not retain it there, but let it reſt in the place, where now it is, that without more vexation unto him in poſting him from one to another, he may have a final hearing and determination thereof. And ſo I reſt

Your Lordſhip's ever at command,

G. BUCKINGHAM.

My Lord,

This is a buſineſs, wherein I ſpake to my Lord Chancellor (*c*); whereupon he diſmiſſed the ſuit.

Lincoln, the 4th of
April, 1617.

The LORD KEEPER *to his* NIECE, *touching her Marriage.*

Good Niece,

AMONGST your other virtues, I know there wanteth not in you a mind to hearken to the advice of your friends. And therefore you will give me leave to move you again more ſeriouſly than before in the match with Mr. Comptroller (*d*). The ſtate, wherein you now are, is to be preferred before

(*c*) Elleſmere.

(*d*) Sir Thomas Edmondes, who had been appointed to that office, December 21, 1616; and, January 19, 161⅞, was made Treaſurer of the Houſhold. He had been married to Magdalen, one of the daughters and coheirs of Sir John Wood, Knight, Clerk of the Signet; which Lady died at Paris, December 31, 1614.

The propoſal for a ſecond marriage between him and the Lord Keeper's niece does not appear to have had ſucceſs.

marriage,

marriage, or changed for marriage, not ſimply the one or the other, but according as, by God's providence, the offers of marriage are more or leſs fit to be embraced. This gentleman is religious, a perſon of honour, being Counſellor of State, a great officer, and in very good favour with his Majeſty. He is of years and health fit to be comfortable to you, and to free you of burdenſome cares. He is of good means, and a wiſe and provident man, and of a loving and excellent good nature; and, I find, hath ſet his affections upon you; ſo as I foreſee you may ſooner change your mind, which, as you told me, is not yet towards marriage, than find ſo happy a choice. I hear he is willing to viſit you, before his going into France, which, by the King's commandment, is to be within ſome ten days; and I could wiſh you uſed him kindly, and with reſpect. His return out of France is intended before Michaelmaſs. God direct you, and be with you. I reſt

Your very loving uncle, and aſſured friend,

Dorſet-houſe, this
28th of Apr. 1617.

FR. BACON.

To the LORD KEEPER (*).

My honourable Lord,

I HAVE acquainted his Majeſty with your letters, who liked all your proceedings well, ſaving only the point, for which you have ſince made amends, in obeying his pleaſure touching the proclamation. His Majeſty would have your Lordſhip go thoroughly about the buſineſs of Ireland, whereinto you are ſo well entered, eſpecially at this time, that the Chief

(*) Harl. MSS. Vol. 7006.

Juſtice (*e*) is come over, who hath delivered his opinion thereof to his Majeſty, and hath underſtood what his Majeſty conceived of the ſame; wherewith he will acquaint your Lordſhip, and with his own obſervation and judgement of the buſineſſes of this country.

I give your Lordſhip hearty thanks for your care to ſatisfy my Lady of Rutland's (*f*) deſire; and will be as careful, when I come to York, of recommending your ſuit to the Biſhop (*g*). So I reſt

Your Lordſhip's ever at command,

Newark, the 5th of April, 1617. G. BUCKINGHAM.

To my very honourable Lord, Sir Francis Bacon, Knight, Lord Keeper of the Great Seal of England.

(*e*) Sir John Denham, one of the Lords Juſtices of Ireland in 1616. He was made one of the Barons of the Exchequer in England, May 2, 1617. He died January 6, 1638, in the eightieth year of his age. He was the firſt, who ſet up cuſtoms in Ireland (not but there were laws for the ſame before;) of which the firſt year's revenue amounted but to 500 l; but before his death, which was about twenty-two years after, they were let for 54,000 l. *per annum. Borlaſe's Reduction of Ireland to the Crown of England*, p. 200. Edit. London, 1675.

(*f*) Frances, Counteſs of Rutland, firſt wife of Francis, Earl of Rutland, and daughter and coheir of Sir Henry Knevet, of Charleton in Wiltſhire, Knight. She had by the Earl an only daughter and heir, Catharine, firſt married to George, Marquis, and afterwards Duke, of Buckingham; and ſecondly to Randolph Mac-Donald, Earl, and afterwards Marquis, of Antrim in Ireland.

(*g*) relating to York-houſe.

To the LORD KEEPER (*).

My honourable Lord,

I SPAKE at York with the Archbiſhop (*b*), touching the houſe, which he hath wholly put into your hands, to do with it what your Lordſhip ſhall be pleaſed.

I have heretofore, ſince we were in this journey, moved his Majeſty for diſpatch of my Lord Brackley's (*i*) buſineſs: but becauſe his Majeſty never having heard of any precedent in the like caſe, was of opinion, that this would be of ill conſequence in making that dignity as eaſy; as the pulling out of a ſword to make a man a knight, and ſo make it of little eſteem, he was deſirous to be aſſured, firſt, that it was no new courſe, before he would do it in that faſhion. But ſince he can receive no aſſurance from your Lordſhip of any precedent in that kind, his Majeſty intendeth not ſo to precipitate the buſineſs, as to expoſe that dignity to cenſure and contempt, in omitting the ſolemnities required, and uſually belonging unto it.

His Majeſty, though he were a while troubled with a little pain in his back, which hindered his hunting, is now, God be thanked, very well, and as merry as ever he was; and we have all held out well.

(*) Harl. MSS. Vol. 7006. (*b*) Dr. Tobie Matthew.
(*i*) who deſired to be created Earl in an uſual manner, by letters patents, without the delivering of the patent by the King's own hand, or without the ordinary ſolemnities of creation. He was accordingly created Earl of Bridgewater, May 27, 1617.

I ſhewed his Majeſty your letter, who taketh very well your care and deſire to hear of his health.

So I commit you to God, and reſt

Your Lordſhip's moſt aſſured friend to do you ſervice,

Aukland, the 18th of Apr. 1617. G. BUCKINGHAM.

Since the writing of this letter, I have had ſome farther ſpeech with his Majeſty, touching my Lord Brackley; and find, that if, in your Lordſhip's information in the courſe, you write any thing, that may tend to the furthering of the diſpatch of it in that kind, he deſireth it may be done.

To the LORD KEEPER (*).

My honourable Lord,

I SEND your Lordſhip the warrant for the Queen (*k*) ſigned by his Majeſty, to whom I have likewiſe delivered your Lordſhip's letter. And touching the matter of the pirates, his Majeſty cannot yet reſolve; but within a day or two your Lordſhip ſhall ſee a diſpatch, which he purpoſeth to ſend to the Lords of his Council in general, what his opinion and pleaſure is in that point.

I would not omit this opportunity to let your Lordſhip know, that his Majeſty, God be thanked, is in very good health, and ſo well pleaſed with his journey, that I never ſaw him better, nor merrier.

So I reſt

Your Lordſhip's ever at command,

From Newcaſtle, the 23d of Apr. 1617. G. BUCKINGHAM.

(*) Harl. MSS. Vol. 7006.

(*k*) relating to her houſe. See the Lord Keeper's letter of April 7, 1617, printed in his works.

To

To the LORD KEEPER (*).

My honourable Lord,

I UNDERSTAND, that Sir Lewis Treſham hath a ſuit depending in the Chancery before your Lordſhip; and therefore, out of my love and reſpect toward him, I have thought fit to recommend him unto your favour ſo far only, as may ſtand with juſtice and equity, which is all he deſireth, having to encounter a ſtrong party. And becauſe he is ſhortly to go into Spain about ſome other buſineſs of his own, I farther deſire your Lordſhip to give him what expedition you can, that he may receive no prejudice by his journey.

Your Lordſhip's ever at command,

G. BUCKINGHAM.

Indorſed, *May* 6, 1616.

To the LORD KEEPER (*).

My honourable Lord,

I HAVE, by reports, heard that, which doth much grieve and trouble me, that your Lordſhip hath, through a pain in one of your legs, been forced to keep your chamber. And being deſirous to underſtand the true eſtate of your health, which reports do not always bring, I intreat your Lordſhip to favour me with a word or two from yourſelf, which, I hope, will bring me the comfort I deſire, who

(*) Harl. MSS. Vol. 7006.

cannot but be very ſenſible of whatſoever happeneth to your Lordſhip, as being

Your Lordſhip's moſt affectionate,
to do you ſervice,

G. BUCKINGHAM.

His Majeſty, God be thanked, is very well, and ſafely returned from his hunting journey.

From Edinburgh, the
3d of June, 1617.

To the Earl of BUCKINGHAM.

My very good Lord,

THIS day I have made even with the buſineſs of the kingdom for common juſtice; not one cauſe unheard; the lawyers drawn dry of all the motions they were to make; not one petition unanſwered. And this, I think, could not be ſaid in our age before. This I ſpeak not out of oſtentation, but out of gladneſs, when I have done my duty. I know men think I cannot continue, if I ſhould thus oppreſs my ſelf with buſineſs: but that account is made. The duties of life are more than life; and, if I die now, I ſhall die before the world be weary of me, which in our times is ſomewhat rare. And all this while I have been a little unperfect in my foot. But I have taken pains more like the beaſt with four legs, than like a man with ſcarce two legs. But if it be a gout, which I do neither acknowledge, nor much diſclaim, it is a good-natured gout; for I have no rage of it, and it goeth away quickly. I have hope it is but an accident of changing from a field-

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air (*l*) to a Thames-air (*m*); or rather, I think, it is the diſtance of the King and your Lordſhip from me, that doth congeal my humours and ſpirits.

When I had written this letter, I received your Lordſhip's letter of the third of this preſent, wherein your Lordſhip ſheweth your ſollicitous care of my health, which did wonderfully comfort me. And it is true, that at this preſent I am very well, and my ſuppoſed gout quite vaniſhed.

I humby pray you to commend my ſervice, infinite in deſire, howſoever limited in ability, to his Majeſty, to hear of whoſe health and good diſpoſition is to me the greateſt beatitude, which I can receive in this world. And I humbly beſeech his Majeſty to pardon me, that I do not now ſend him my account of council buſineſs, and other his royal commands, till within theſe four days; becauſe the flood of buſineſs of juſtice did hitherto wholly poſſeſs me; which, I know, worketh this effect, as it contenteth his ſubjects, and knitteth their hearts more and more to his Majeſty, though, I muſt confeſs, my mind is upon other matters, as his Majeſty ſhall know, by the grace of God, at his return. God ever bleſs and proſper you.

Your Lordſhip's true, and moſt
devoted friend and ſervant,

Whitehall, this 8th of June, 1617.

FR. BACON.

To the LORD KEEPER (*).

My honourable Lord,

YOUR Lordſhip will underſtand, by Sir Thomas Lake's letter, his Majeſty's directions touching

(*l*) Gray's Inn.

(*m*) Dorſet-houſe, originally belonging to the Biſhops of Saliſbury, afterwards the houſe of Sir Richard Sackville, and then of his ſon, Sir Thomas, Earl of Dorſet, and Lord Treaſurer.

(*) Harl. MSS. Vol. 7006.

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the Surveyor's Deputy of the Court of Wards. And though I aſſure myſelf of your Lordſhip's care of the buſineſs, which his Majeſty maketh his own; yet my reſpect to Sir Robert Naunton (*n*) maketh me add my recommendation thereof to your Lordſhip, whom I deſire to give all the furtherance and aſſiſtance you can to the buſineſs, that no prejudice or imputation may light upon Sir Robert Naunton, through his zealous affection to attend his Majeſty in this journey.

I will not omit to let you know, that his Majeſty is very well, and receiveth much contentment in his journey. And with this concluſion, I reſt

Your Lordſhip's moſt affectionate

to do you ſervice,

Edinburgh, the 11th of June, 1617.

G. BUCKINGHAM.

To the Lord Viſcount FENTON (*o*).

My very good Lord,

I THANK your Lordſhip for your courteous letter; and, if I were aſked the queſtion, I would always chooſe rather to have a letter of no news, than a letter of news; for news imports alteration: but letters of kindneſs and reſpect bring that, which, though it be no news amongſt friends, is more welcome.

I am exceedingly glad to hear, that this journey of his Majeſty, which I never eſteemed more than a

(*n*) Surveyor of the Court of Wards.

(*o*) Sir Thomas Erſkine, who for his ſervice to the King, in the attempt of the Earl of Gowry, was, upon his Majeſty's acceſſion to the throne of England, made Captain of his guard in the room of Sir Walter Ralegh. He was afterwards created Earl of Kelly.

long

long progreſs, ſave that it had reaſon of ſtate joined with pleaſure, doth ſort to be ſo joyful and ſo comfortable.

For your parliament, God ſpeed it well: and for ours, you know the ſea would be calm, if it were not for the winds: and I hope the King, whenſoever that ſhall be, will find thoſe winds reaſonably well laid. Now that the ſun is got up a little higher, God ordains all things to the happineſs of his Majeſty, and his monarchy.

My health, I thank God, is good; and I hope this ſuppoſed gout was but an incomer. I ever reſt

Your Lordſhip's affectionate

and aſſured friend,

Whitehall, June 18 [1617]. FR. BACON.

To the LORD KEEPER, *written from Scotland June* 28, 1618 *(p)*.

I WILL begin to ſpeak of the buſineſs of this day; *opus hujus diei in die ſuo*, which is of the parliament. It began on the 7th of this month, and ended this day, being the 28th of June. His Majeſty, as I perceived by relation, rode thither in great ſtate the firſt day. Theſe eyes are witneſſes, that he rode in an honourable faſhion, as I have ſeen him in England, this day. All the Lords rode in Engliſh robes; not an Engliſh Lord on horſeback, though all the parliament-houſe at his Majeſty's elbow, but my Lord of Buckingham, who waited upon the King's ſtirrup in his collar, but not in his robes. His Majeſty the firſt day, by way prepara-

(p) From a copy in the Paper-office.

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tion to the ſubject of the parliament, made a declaratory ſpeech, wherein he expreſſed himſelf what he would not do, but what he would do. The relation is too prolix for a ſheet of paper; and I am promiſed a copy of it, which I will bring myſelf unto your Lordſhip with all the ſpeed I may. But I may not be ſo reſerved, as not to tell your Lordſhip, that in that ſpeech his Majeſty was pleaſed to do England and Engliſhmen much honour and grace; and that he ſtudied nothing ſo much, ſleeping and waking, as to reduce the barbarity (I have warrant to uſe the King's own word) of this country unto the ſweet civility of ours; adding farther, that if the Scottiſh nation would be as docible to learn the goodneſs of England, as they are teachable to limp after their ill, he might with facility prevail in his deſire: for they had learned of the Engliſh to drink healths, to wear coaches and gay cloaths, to take tobacco, and to ſpeak neither Scottiſh nor Engliſh. Many ſuch diſeaſes of the times his Majeſty was pleaſed to enumerate, not fit for my pen to remember, and graciouſly to recognize, how much he was beholden to the Engliſh nation for their love and conformity to his deſires. The King did perſonally and infallibly ſit amongſt them of the parliament every day; ſo that there fell not a word amongſt them, but his Majeſty was of council with it.

The whole aſſembly, after the wonted manner, was abſtracted into eight Biſhops, eight Lords, eight Gentlemen, Knights of the Shires, and eight Lay Burgeſſes for towns. And this epitome of the whole parliament did meet every day in one room to treat and debate of the great affairs of the kingdom. There was exception taken againſt ſome of the lower-houſe, which were returned by the country, being pointed at as men averſe in their appetites and humours to the buſineſs of the parliament, who were depoſed of their attendance by the King's power; and others,

better affected, by the King's election, placed in their room.

The greateſt and weightieſt articles, agitated in this parliament, were ſpecially touching the government of the kirk and kirkmen, and for the aboliſhing of hereditary Sheriffs to an annual charge; and to enable Juſtices of the Peace to have as well the real execution, as the title of their places. For now the Sheriff doth hold *jura regalia* in his circuit without check or controlment; and the Juſtices of the Peace do want the ſtaff of their authority. For the church and commonwealth, his Majeſty doth ſtrive to ſhape the frame of this kingdom to the method and degrees of the government of England, as by reading of the ſeveral acts it may appear. The King's deſire and travail herein, though he did ſuffer a momentary oppoſition, (for his countrymen will ſpeak boldly to him,) hath in part been profitable. For though he hath not fully and complementally prevailed in all things, yet he hath won ground in moſt things, and hath gained acts of parliament to authorize particular commiſſioners, to ſet down orders for the church and churchmen, and to treat with Sheriffs for their offices by way of pecuniary compoſition. But all theſe proceedings are to have an inſeparable reference to his Majeſty. If any prove unreaſonably and undutifully refractory, his Majeſty hath declared himſelf, that he will proceed againſt him by the warrant of the law, and by the ſtrength of his royal power.

His Majeſty's ſpeech this day had a neceſſary connexion with his former diſcourſe. He was pleaſed to declare what was done and determined in the progreſs of this parliament; his reaſons for it; and that nothing was gotten by ſhouldering or wreſtling, but by debate, judgement, and reaſon, without any interpoſition of his royal power in any thing. He commanded the Lords in ſtate of judicature, to give life, by a careful execution, unto the law, which otherwiſe

otherwiſe was but *mortuum cadaver et bona pictura*.

Thus much touching the legal part of my advertiſement unto you. I will give your Lordſhip an account in two lines of the complement of the country, time, and place.

The country affords more profit, and better contentment, than I could ever promiſe myſelf, by my reading of it.

The King was never more chearful in body and mind, never ſo well pleaſed: and ſo are the Engliſh of all conditions.

The entertainment very honourable, very general, and very full: every day feaſts and invitations. I know not who paid for it. They ſtrive, by direction, to give us all fair contentment, that we may know, that the country is not ſo contemptible, but that it is worth the cheriſhing.

The Lord Provoſt of this town, who in Engliſh is the Mayor, did feaſt the King and all the Lords this week; and another day all the gentlemen. And, I confeſs, it was performed with ſtate, with abundance, and with a general content.

There is a general, and a bold expectation, that Mr. John Murray ſhall be created a Baron of this country; and ſome do chat, that my Lord of Buckingham's Mr. Wray ſhall be a Groom of the Bedchamber in his place.

There hath been yet no creation of Lords, ſince his Majeſty did touch Scotland: but of Knights many, yet not ſo many as we heard in England; but it is thought all the Penſioners will be Knights to-morrow. Neither are there any more Engliſh Lords ſworn of the privy-council here, ſave my Lord of Buckingham.

The Earl of Southamton, Montgomery, and Hay, are already gone for England.

I have made good profit of my journey hither; for I have gotten a tranſcript of the ſpeech, which

your Lordſhip did deliver at your firſt and happy ſitting in Chancery; which I could not gain in England. It hath been ſhewed to the King, and received due approbation. The God of heaven, all-wiſe and all-ſufficient, guard and aſſiſt your Lordſhip in all your actions: for I can read here whatſoever your Lordſhip doth act there; and your courſes be ſuch, as you need not to fear to give copies of them. But the King's ears be wide and long, and he ſeeth with many eyes. All this works for your honour and comfort. I pray God nothing be ſoiled, heated, or cooled in the carriage. Envy ſometimes attends virtues, and not for good; and theſe bore certain proprieties and circumſtances inherent to your Lordſhip's mind; which men may admire, I cannot expreſs. But I will wade no farther herein, leſt I ſhould ſeem eloquent. I have been too ſaucy with your Lordſhip, and held you too long with my idleneſs. He, that takes time from your Lordſhip, robs the public. God give your body health, and your ſoul heaven.

My Lord of Pembroke, my Lord of Arundel, my Lord Zouch, and Mr. Secretary Lake, were new ſworn of the council here.

To the Earl of BUCKINGHAM.

My very good Lord,

I HAVE ſent incloſed a letter to his Majeſty concerning the ſtrangers; in which buſineſs I had formerly written to your Lordſhip a joint letter with my Lord of Canterbury, and my Lord Privy-Seal (*q*), and Mr. Secretary Winwood.

I am, I thank God, much relieved with my being in the country-air, and the order I keep; ſo that of late years I have not found my health better.

(*q*) Edward, Earl of Worceſter.

Your

Your Lordſhip writeth ſeldomer than you were wont; but when you are once gotten into England, you will be more at leiſure. God bleſs and proſper you.

Your Lordſhip's true and devoted

friend and ſervant,

Gorhambury, July 29, 1617.

FR. BACON.

To the LORD KEEPER (*).

My honourable Lord,

I HAVE acquainted his Majeſty with your letter, who, in this buſineſs of Sir John Bennet's (*r*), hath altogether followed your Lordſhip's direction.

His Majeſty hath at length been pleaſed to diſpatch Mr. Lowder (*s*), according to your Lordſhip's deſire, for the place in Ireland. What the cauſe of the ſtay was, I ſhall impart to your Lordſhip, when I ſee you, being now too long to relate.

His Majeſty hath not yet had leiſure to read the little book you ſend me to preſent unto him; but, as ſoon as I ſee the fitteſt opportunity, I will offer it to him again.

His Majeſty, God be thanked, is very well; and I am exceeding glad to hear of your health, that you

(*) Harl. MSS. Vol. 7006.

(*r*) of Godſtow in Oxfordſhire, who was ſent to Bruſſels to the Archduke, to expoſtulate with him concerning a Libel on the King, imputed to Erycius Puteanus, and intitled, *Iſaaci Caſauboni Corona Regia.*

(*s*) He had been Sollicitor to the Queen; but finding her diſlike of him, he was willing to part with his place for that of one of the Barons of the Exchequer in Ireland; for which he was recommended by the Lord Keeper to the Earl of Buckingham, in a letter dated at Whitehall, May 25, 1617.

are

are of ſo good term-proof, which is the beſt of it, being you are in thoſe buſineſſes put moſt to the trial, which I wiſh may long continue in that ſtrength, that you may ſtill do his Majeſty and your country that good ſervice, whereof we hear ſo general approbation, that it much rejoiceth me, who reſt

Your Lordſhip's ever at command,

Falkland, the 5th of July, 1617. G. BUCKINGHAM.

To the KING (*t*).

May it pleaſe your moſt excellent Majeſty,

I DO very much thank your Majeſty for your letter, and think myſelf much honoured by it. For though it contain ſome matter of diſlike, in which reſpect it hath grieved me more than any event, which hath fallen out in my life: yet becauſe I know reprehenſions from the beſt maſters to the beſt ſervants are neceſſary; and that no chaſtiſement is pleaſant for the time, but yet worketh good effects; and for that I find intermixed ſome paſſages of truſt and grace; and find alſo in myſelf inwardly ſincerity of intention, and conformity of will, howſoever I may have erred; I do not a little comfort myſelf, reſting upon your Majeſty's accuſtomed favour; and moſt humbly deſiring, that any one of my particular notions may be expounded by the conſtant and direct courſe, which, your Majeſty knoweth, I have ever held in your ſervice.

And becauſe it hath pleaſed your Majeſty, of your ſingular grace and favour, to write fully and freely

(*t*) This letter appears, from the indorſement of the King's anſwer to it, to have been written at Gorhambury, July 25, 1617. That printed with this date in his *Works*, ſhould be Auguſt 2, 1617, as I find by the original draught of it.

unto me; it is duty and decorum in me not to write ſhortly to your Majeſty again, but with ſome length; not ſo much by way of defence or anſwer, which yet, I know, your Majeſty would always graciouſly admit; as to ſhew, that I have, as I ought, weighed every word of your Majeſty's letter.

Firſt, I do acknowledge, that this match of Sir John Villiers is *magnum in parvo* in both ſenſes, that your Majeſty ſpeaketh. But your Majeſty perceiveth well, that I took it to be in a farther degree, *majus in parvo*, in reſpect of your ſervice. But ſince your Majeſty biddeth me to confide upon your act of empire, I have done. For, as the Scripture ſaith, *to God all things are poſſible*; ſo certainly, to wiſe Kings much is poſſible. But for that ſecond ſenſe, that your Majeſty ſpeaketh of, *magnum in parvo*, in reſpect of the ſtir; albeit it being but a moſt lawful and ordinary thing, I moſt humbly pray your Majeſty to pardon me, if I ſignify to you, that we here take the loud, and vocal, and, as I may call it, ſtreperous carriage to have been far more on the other ſide, which indeed is inconvenient, rather than the thing itſelf.

Now for the manner of my affection to my Lord of Buckingham, for whom I would ſpend my life, and that, which is to me more, the cares of my life; I muſt humbly confeſs, that it was in this a little parent-like (this being no other term, than his Lordſhip hath heretofore vouchſafed to my counſels;) but in truth (and it pleaſe your Majeſty) without any grain of diſeſteem of his Lordſhip's diſcretion. For I know him to be naturally a wiſe man, of a ſound and ſtaid wit, as I ever ſaid unto your Majeſty. And again, I know he hath the beſt tutor in Europe. But yet I was afraid, that the hight of his fortune might make him too ſecure; and, as the proverb is, a looker-on ſometimes ſeeth more than a gameſter.

For

For the particular part of a true friend, which your Majeſty witneſſeth, that the Earl hath lately performed towards me, in palliating ſome errors of mine; it is no new thing with me to be more and more bound to his Lordſhip; and I am moſt humbly to thank (whatſoever it was) both your Majeſty and him; knowing well, that I may, and do commit many errors, and muſt depend upon your Majeſty's gracious countenance and favour for them, and ſhall have need of ſuch a friend near your Majeſty. For I am not ſo ignorant of mine own caſe, but that I know I am come in with as ſtrong an envy of ſome particulars, as with the love of the general.

For my oppoſition to this buſineſs, which, it ſeemeth, hath been informed your Majeſty, I think it was meant (if it be not a thing merely feigned, and without truth or ground) of one of theſe two things; for I will diſſemble nothing with your Majeſty. It is true, that in thoſe matters, which, by your Majeſty's commandment and reference, came before the table concerning Sir Edward Coke, I was ſometimes ſharp (it may be too much;) but it was with end to have your Majeſty's will performed; or elſe, when me thought he was more peremptory than became him, in reſpect of the honour of the table. It is true alſo, that I diſliked the riot or violence, whereof we of your council gave your Majeſty advertiſement by our joint letter: and I diſliked it the more, becauſe he juſtified it to be law; which was his old ſong. But in that act of council, which was made thereupon, I did not ſee but all my Lords were as forward as myſelf, as a thing moſt neceſſary for preſervation of your peace, which had been ſo carefully and firmly kept in your abſence. And all this had a fair end, in a reconcilement made by Mr. Attorney (*y*), whereby both huſband and wife and child

(*y*) Sir Henry Yelverton.

ſhould have kept together. Which, if it had continued, I am perſuaded the match had been in better and fairer forwardneſs, than now it is.

Now for the times of things, I beſeech your Majeſty to underſtand that, which my Lord of Buckingham will witneſs with me, that I never had any word of letter from his Lordſhip of the buſineſs, till I wrote my letter of advice; nor again, after my letter of advice, till five weeks after, which was now within this ſennight. So that although I did in truth preſume, that the Earl would do nothing without your Majeſty's privity; yet I was in ſome doubt, by this his ſilence of his own mind, that he was not earneſt in it, but only was content to embrace the officious offers and endeavours of others.

But, to conclude this point, after I had received, by a former letter of his Lordſhip, knowledge of his mind, I think Sir Edward Coke himſelf, the laſt time he was before the Lords, might particularly perceive an alteration in my carriage. And now that your Majeſty hath been pleaſed to open yourſelf to me, I ſhall be willing to further the match by any thing, that ſhall be deſired of me, or that is in my power.

And whereas your Majeſty conceiveth ſome dregs of ſpleen in me by the word *Mr. Bacon*; truly it was but to expreſs in thankfulneſs the comparative of my fortune unto your Majeſty, the author of the latter, to ſhew how little I needed to fear, while I had your favour. For, I thank God, I was never vindicative nor implacable.

As for my opinion of prejudice to your Majeſty's ſervice, as I touched it before, I have done; I do humbly acquieſce in your Majeſty's ſatisfaction, and rely upon your Majeſty's judgement, who unto judgement have alſo power, ſo to mingle the elements, as may conſerve the fabric.

For

For the intereſt, which I have in the mother, I do not doubt but it was increaſed by this, that I in judgement, as I then ſtood, affected that, which ſhe did in paſſion. But I think the chief obligation was, that I ſtood ſo firmly to her in the matter of her aſſurance, wherein I ſuppoſed I did your Majeſty ſervice, and mentioned it in a memorial of council-buſineſs, as half craving thanks for it. And ſure I am now, that, and the like, hath made Sir Edward Coke a convert, as I did write to your Majeſty in my laſt.

For the collation of the two ſpirits, I ſhall eaſily ſubſcribe to your Majeſty's anſwer; for Solomon were no true man, if in matter of malice the woman ſhould not be the ſuperior.

To conclude, I have gone through, with the plainneſs of truth, the parts of your Majeſty's letter; very humbly craving pardon for troubling your Majeſty ſo long; and moſt humbly praying your Majeſty to maintain me in your grace and favour, which is the fruit of my life upon the root of a good conſcience. And although time in this buſineſs have caſt me upon a particular, which, I confeſs, may have probable ſhew of paſſion or intereſt; yet God is my witneſs, that the thing, that moſt moved me, was an anxious and ſollicitous care of your Majeſty's ſtate and ſervice, out of conſideration of the time paſt and preſent.

God ever preſerve and bleſs your Majeſty, and ſend you a joyful return after your proſperous journey.

The KING *to the* LORD KEEPER, *in anſwer to his Lordſhip's Letter from Gorhambury of July* 25, 1617.

JAMES R.

RIGHT truſty and well-beloved Counſellor, we greet you well.

Although our approach doth now begin to be near London, and that there doth not appear any great neceſſity of anſwering your laſt letter, ſince we are ſo ſhortly to be at home; yet we have thought good to make ſome obſervations to you upon the ſame, that you may not err, by miſtaking our meaning.

The firſt obſervation we are to make is, that, whereas you would invert the ſecond ſenſe, wherein we took your *magnum in parvo*, in accounting it to be made *magnum* by their ſtreperous carriage, that were for the match, we cannot but ſhew you your miſtaking therein. For every wrong muſt be judged by the firſt violent and wrongous ground, whereupon it proceeds. And was not the thefteous ſtealing away of the daughter from her own father (*u*) the firſt ground, whereupon all this great noiſe hath ſince proceeded? For the ground of her getting again came upon a lawful and ordinary warrant, ſubſcribed by one of our council (*w*), for redreſs of the former violence: and except

(*u*) Lady Hatton had firſt removed her daughter to Sir Edmund Withipole's houſe, near Oatlands, without the knowledge of Sir Edward Coke; and from thence, according to a letter of Mr. Chamberlain, dated July 19, 1617, the young lady was privately conveyed to a houſe of the Lord of Argyle's by Hampton-Court. "Whence, *adds Mr. Chamberlain*, her father, with a warrant "from Mr. Secretary [Winwood] fetched her; but indeed went "farther than his warrant, and brake open divers doors before "he got her."

(*w*) Secretary Winwood, who, as Mr. Chamberlain obſerves in the letter cited in the note above, was treated with ill language at the council-board by the Lord Keeper, and threatened with a *præmunire*, on account of his warrant granted to Sir Edward Coke. His Lordſhip, at the ſame time, told the Lady Compton, mother of the Earl of Buckingham, that they wiſhed well to her and her ſons, and would be ready to ſerve the Earl with all true affection; whereas others did it out of *faction* and *ambition*. Which words glancing directly at Secretary Winwood, he alledged, that what he had done was by the direction of the Queen and the other parties, and ſhewed a letter of approbation of all his courſes from the King, making the whole table judge what

except the father of a child might be proved to be either lunatic, or idiot, we never read in any law, that either it could be lawful for any creature to ſteal his child from him; or that it was a matter of noiſe and ſtreperous carriage for him to hunt for the recovery of his child again.

Our next obſervation is, that whereas you proteſt your affection to Buckingham, and thereafter confeſs, that it is in ſome ſort *parent-like*; yet, after that you have praiſed his natural parts, we will not ſay, that you throw all down by a direct imputation upon him; but we are ſure you do not deny to have had a greater jealouſy of his diſcretion, than, ſo far as we conceive, he ever deſerved at your or any man's hands. For you ſay, that you were afraid, that the hight of his fortune might make him too ſecure; and ſo, as a looker-on, you might ſometime ſee more than a gameſter. Now we know not how to interpret this in plain Engliſh otherwiſe, than that you were afraid, that the hight of his fortune might make him miſknow himſelf. And ſurely, if that be your *parent-like affection* toward him, he hath no obligation to you for it. And, for our part, beſides our own proof, that we find him fartheſt from that vice of any courtier, that ever we had ſo near about us; ſo do we fear, that you ſhall prove the only phenix in that jealouſy of all the kingdom. For we would be very ſorry, that the world ſhould apprehend that conceit of him. But we cannot conceal, that we think it was leaſt your part of any to enter into that

what *faction* or *ambition* appeared in his carriage: to which no anſwer was returned. The Queen, ſome time after, taking notice of the diſguſt, which the Lord Keeper had conceived againſt Secretary Winwood, and aſking his Lordſhip, what occaſion the Secretary had given him to oppoſe himſelf ſo violently againſt him, his Lordſhip anſwered, "Madam, I can ſay no more but he is "proud, and I am proud." MS. letter of Mr. Chamberlain, October 11, 1717.

jealouſy of him, whom of we have heard you oft ſpeak in a contrary ſtyle. And as for that error of yours, which he lately palliated, whereof you ſeem to pretend ignorance; the time is ſo ſhort ſince you commended to him one (x) to be of the Barons of our Exchequer in Ireland, as we cannot think you to be ſo ſhort of memory, as to have forgotten how far you undertook in that buſineſs, before acquainting us with it; what a long journey you made the poor man undertake, together with the ſlight recommendation you ſent of him; which drave us to thoſe ſtraits, that both the poor man had been undone, and your credit a little blaſted, if Buckingham had not, by his importunity, made us both grant you more than ſuit (for you had already acted a part of it,) and likewiſe run a hazard of the hindrance of our own ſervice, by preferring a perſon to ſo important a place, whom you ſo ſlightly recommended.

Our third obſervation is upon the point of your oppoſition to this buſineſs, wherein you either do, or at leaſt would ſeem to, miſtake us a little. For firſt, whereas you excuſe yourſelf of the oppoſitions you made againſt Sir Edward Coke at the council-table, both for that, and other cauſes; we never took upon us ſuch a patrociny of Sir Edward Coke, as if he were a man not to be meddled withall in any caſe. For whatſoever you did againſt him, by our employment and commendation, we ever allowed it, and ſtill do, for good ſervice on your part. *De bonis operibus non lapidamus vos.* But whereas you talk of the riot and violence committed by him, we wonder you make no mention of the riot and violence of them, that ſtole away his daughter, which was the firſt ground of all that noiſe, as we ſaid before. For a man may be compelled by manifeſt wrong beyond

(x) Mr Lowder. See the letter of the Earl of Buckingham of the 5th of July.

his

his patience; and the firſt breach of that quietneſs, which hath ever been kept ſince the beginning of our journey, was made by them, that committed the theft. And for your laying the burden of your oppoſition upon the council, we meddle not with that queſtion; but the oppoſition, which we juſtly find fault with you, was the refuſal to ſign a warrant for the father to the recovery of his child, clad with thoſe circumſtances (as is reported) of your ſlight carriage to Buckingham's mother, when ſhe repaired to you upon ſo reaſonable an errand. What farther oppoſition you made in that buſineſs, we leave it to the due trial in the own time. But whereas you would diſtinguiſh of times, pretending ignorance either of our meaning or his, when you made your oppoſition; that would have ſerved for a reaſonable excuſe not to have furthered ſuch a buſineſs, till you had been firſt employed in it: but that can ſerve for no excuſe of croſſing any thing, that ſo nearly concerned one, whom you profeſs ſuch friendſhip unto. We will not ſpeak of obligation; for ſurely we think, even in good manners, you had reaſon not to have croſſed any thing, wherein you had heard his name uſed, till you had heard from him. For if you had willingly given your conſent and hand to the recovery of the young gentlewoman; and then written both to us and to him what inconvenience appeared to you to be in ſuch a match; that had been the part indeed of a true ſervant to us, and a true friend to him. But firſt to make an oppoſition; and then to give advice by way of friendſhip, is to make the plow go before the horſe.

Thus leaving all the particulars of your carriage, in this buſineſs, to the own proper time, which is ever the diſcoverer of truth, we commend you to God. Given under our ſignet at Nantwich, in the fifteenth year of our reign of Great Britain, &c.

To the LORD KEEPER.

My Lord,

I HAVE received your Lordſhip's letter by your man; but having ſo lately imparted my mind to you in my former letters, I refer your Lordſhip to thoſe letters, without making a needleſs repetition, and reſt

Your Lordſhip's at command,

Aſhton, the 25th of Aug. 1617. G. BUCKINGHAM.

To my honourable Lord, Sir Francis Bacon, Knight, Lord Keeper of the Great Seal of England.

Sir HENRY YELVERTON, *Attorney General, to the* LORD KEEPER BACON.

My moſt worthy and honourable Lord,

I DARE not think my journey loſt, becauſe I have with joy ſeen the face of my maſter, the King, though more clouded towards me than I looked for.

Sir Edward Coke hath not forborne, by any engine, to heave at your Honour, and at myſelf; and he works by the weightieſt inſtrument, the Earl of Buckingham, who, as I ſee, ſets him as cloſe to him as his ſhirt, the Earl ſpeaking in Sir Edward's praiſe, and, as it were, menacing in his ſpirit.

My Lord, I emboldened myſelf to aſſay the temper of my Lord of Buckingham to myſelf, and found it very fervent, miſled by information, which yet I find he embraced as truth, and did nobly and plainly tell me, he would not ſecretly bite; but whoſoever had had any intereſt, or taſted of the oppoſition to his brother's

brother's marriage, he would as openly oppoſe them to their faces, and they ſhould diſcern what favour he had, by the power he would uſe.

In the paſſage between him and me, I ſtood with much confidence upon theſe grounds:

Firſt, that neither your Lordſhip, nor myſelf, had any way oppoſed, but many ways had furthered, the full paſſage to the marriage.

Secondly, that we only wiſhed the manner of Sir Edward's proceedings to have been more temperate, and more nearly reſembling the Earl's ſweet diſpoſition.

Thirdly, that the chiefeſt check in this buſineſs was Sir Edward himſelf, who liſtened to no advice, who was ſo tranſported with paſſion, as he purpoſely declined the even way, which your Lordſhip and the reſt of the Lords left both him, his Lady, and his daughter, in.

Fourthly, I was bold to ſtand upon my ground; and ſo I ſaid I knew your Lordſhip would, that theſe were ſlanders, which were brought him of us both; and that it ſtood not with his honour to give credit to them.

After I had paſſed theſe ſtraits with the Earl, leaving him leaning ſtill to the firſt relation of envious and odious adverſaries, I adventured to approach his Majeſty, who graciouſly gave me his hand to kiſs, but intermixed withall, that I deſerved not that favour, if three or four things were true, which he had to object againſt me. I was bold to crave his princely juſtice; firſt, to hear, then to judge; which he graciouſly granted, and ſaid, he wiſhed I could clear myſelf. I anſwered, I would not appeal to his mercy in any of the points, but would endure the ſevereſt cenſure, if any of them were true. Whereupon he ſaid, he would reſerve his judgement till he heard me; which could not be then, his other occaſions preſſed him ſo much. All this was in the hear-

ing of the Earl; and I proteſt, I think the confidence in my innocency made me depart half juſtified; for I likewiſe kiſſed his Majeſty's hand at his departure; and though out of his grace he commanded my attendance to Warwick, yet upon my ſuit he eaſily inclined to give me the choice, to wait on him at Windſor, or at London.

Now, my Lord, give me leave, out of all my affections, that ſhall ever ſerve you, to intimate touching yourſelf:

1. That every courtier is acquainted, that the Earl profeſſeth openly againſt you, as forgetful of his kindneſs, and unfaithful to him in your love, and in your actions.

2. That he returneth the ſhame upon himſelf, in not liſtening to counſel, that diſſuaded his affection from you, and not to mount you ſo high, not forbearing in open ſpeech (as divers have told me, and this bearer, your gentleman, hath heard alſo) to tax you, as if it were an inveterate cuſtom with you, to be unfaithful to him, as you were to the Earls of Eſſex and Somerſet.

3. That it is too common in every man's mouth in court, that your greatneſs ſhall be abated; and as your tongue hath been as a razor to ſome, ſo ſhall theirs be to you.

4. That there is laid up for you, to make your burden the more grievous, many petitions to his Majeſty againſt you.

My Lord, Sir Edward Coke, as if he were already upon his wings, triumphs exceedingly; hath much private conference with his Majeſty; and in public doth offer himſelf, and thruſt upon the King, with as great boldneſs of ſpeech, as heretofore.

It is thought, and much feared, that at Woodſtock he will again be recalled to the council-table; for neither are the Earl's ears, nor his thoughts, ever off him.

Sir

Sir Edward Coke, with much audacity, affirmeth his daughter to be moſt deeply in love with Sir John Villiers; that the contract pretended with the Earl of Oxford is counterfeit; and the letter alſo, that is pretended to come from the Earl.

My noble Lord, if I were worthy, being the meaneſt of all to interpoſe my weakneſs, I would humbly deſire,

1. That your Lordſhip fail not to be with his Majeſty at Woodſtock. The ſight of you will fright ſome.

2. That you ſingle not yourſelf from the other Lords; but juſtify the proceedings as all your joint acts; and I little fear but you pass conqueror.

3. That you retort the clamour and noiſe in this buſineſs upon Sir Edward Coke, by the violence of his carriage.

4. That you ſeem not diſmayed, but open yourſelf bravely and confidently, wherein you can excell all ſubjects; by which means I know you ſhall amaze ſome, and daunt others.

I have abuſed your Lordſhip's patience long; but my duty and affection towards your Lordſhip ſhall have no end: but I will ſtill wiſh your Honour greater, and reſt myſelf

Your Honour's ſervant,

Daventry, Sept. 3, 1617. HENRY YELVERTON.

I beſeech your Lordſhip burn this letter.

To the Right Honourable his ſingular good Lordſhip, the Lord Keeper of the Great Seal.

To the LORD KEEPER.

My Lord,

I HAVE received ſo many letters lately from your Lordſhip, that I cannot anſwer them ſeverally: but the ground of them all being only this, that your Lordſhip

Lordſhip ſeareth I am ſo incenſed againſt you, that I will hearken to every information, that is made unto me; this one letter may well make anſwer unto them all. As his Majeſty is not apt to give ear to any idle report againſt men of your place; ſo, for myſelf, I will anſwer, that it is far from my diſpoſition to take any advantage in that kind. And for your Lordſhip's unkind dealing with me in this matter of my brother's, time will try all. His Majeſty hath given me commandment to make this anſwer in his name to your letter to him, that he needeth not to make any other anſwer to you, than that, which in that letter you make to yourſelf, that you know his Majeſty to be ſo judicious, that whatſoever he heareth, he will keep one ear open to you. Which being indeed his own princely diſpoſition, you may be aſſured of his gracious favour in that kind.

I will not trouble your Lordſhip with any longer diſcourſe at this time, being to meet you ſo ſhortly, where will be better trial of all, that hath paſſed, than can be made by letters. So I reſt

Your Lordſhip's at command,

Warwick, Sept. 5 [1617]. G. BUCKINGHAM.

To the Right Honourable Sir Francis Bacon, Knight, Lord Keeper of the Great Seal of England.

Advice to the KING, *for reviving the commiſſion of ſuits.*

THAT, which for the preſent I would have ſpoken with his Majeſty about, was a matter, wherein time may be precious, being upon the tendereſt point of all others. For though the particular occaſion

occaſion may be deſpiſed (and yet nothing ought to be deſpiſed in this kind,) yet the counſel thereupon I conceive to be moſt ſound and neceſſary, to avoid future perils.

There is an examination taken within theſe few days by Mr. Attorney, concerning one Baynton, or Baynham (for his name is not yet certain,) atteſted by two witneſſes, that the ſaid Baynton, without any apparent ſhew of being overcome with drink, otherwiſe than ſo as might make him leſs wary to keep ſecrets, ſaid, that he had been lately with the King, to petition him for reward of ſervice; which was denied him. Whereupon it was twice in his mind to have killed his Majeſty. The man is not yet apprehended, and ſaid by ſome to be mad, or half-mad; which, in my opinion, is not the leſs dangerous; for ſuch men commonly do moſt miſchief; and the manner of his ſpeaking imported no diſtraction. But the counſel I would out of my care ground hereupon, is, that his Majeſty would revive the commiſſion for ſuits, which hath been now for theſe three years, or more, laid down. For it may prevent any the like wicked cogitations, which the devil may put into the mind of a roarer or ſwaggerer upon a denial: and beſides, it will free his Majeſty from much importunity, and ſave his coffers alſo. For I am ſure, when I was a commiſſioner, in three whole years ſpace there paſſed ſcarce ten ſuits, that were allowed. And I doubt now, upon his Majeſty's coming home from this journey, he will be much troubled with petitions and ſuits; which maketh me think this remedy more ſeaſonable. It is not meant, that ſuits generally ſhould paſs that way, but only ſuch ſuits, as his Majeſty would be rid on.

Indorſed,

September 21, 1617.

To revive the commiſſion of ſuits. For the King.

The

The Earl of BUCKINGHAM *to the* LORD KEEPER, *Sir* FRANCIS BACON (z).

My Lord,

I HAVE made his Majeſty acquainted with your note concerning that wicked fellow's ſpeeches, which his Majeſty contemneth, as is uſual to his great ſpirit in theſe caſes. But, notwithſtanding, his Majeſty is pleaſed, that it ſhall be exactly tried, whether this foul-mouthed fellow was taken either with drunkenneſs or madneſs, when he ſpake it. And as for your Lordſhip's advice for ſetting up again the commiſſioners for ſuits, his Majeſty ſaith, there will be time enough for thinking upon that, at his coming to Hampton-Court.

But his Majeſty's direction, in anſwer of your letter, hath given me occaſion to join hereunto a diſcovery upon the diſcourſe you had with me this day (*a*). For I do freely confeſs, that your offer of ſubmiſſion unto me, and in writing, if ſo I would have it, battered ſo the unkindneſs, that I had conceived in my heart for your behaviour towards me in my abſence, as out of the ſparks of my old affection towards you, I went to ſound his Majeſty's intention towards you, ſpecially in any public meeting; where I found, on the one part, his Majeſty ſo little ſatisfied with your late anſwer unto him, which he counted (for I proteſt I uſe his own terms) *confuſed* and *childiſh*, and his rigorous reſolution, on the other part, ſo fixed, that he would put ſome public exemplary mark upon you; as I proteſt the ſight of his deep-conceived in-

(z) This ſeems to be the letter, to which the Lord Keeper returned an anſwer, September 22, 1617, printed in his works.

(*a*) at Windſor, according to Sir Antony Weldon, who may perhaps be believed in ſuch a circumſtance as this. See *Court and Character of King James I*, p. 122.

dignation

dignation quenched my paſſion, making me upon the inſtant change from the perſon of a party into a peace-maker; ſo as I was forced upon my knees to beg of his Majeſty, that he would put no public act of diſgrace upon you. And as, I dare ſay, no other perſon would have been patiently heard in this ſuit by his Majeſty but myſelf; ſo did I (though not without difficulty) obtain thus much, that he would not ſo far diſable you from the merit of your future ſervices, as to put any particular mark of diſgrace upon your perſon. Only thus far his Majeſty proteſteth, that upon the conſcience of his office he cannot omit (though laying aſide all paſſion) to give a kindly reprimand, at his firſt ſitting in council, to ſo many of his counſellors, as were then here behind, and were actors in this buſineſs, for their ill behaviour in it. Some of the particular errors committed in this buſineſs he will name, but without accuſing any particular perſons by name.

Thus your Lordſhip ſeeth the fruits of my natural inclination. I proteſt, all this time paſt it was no ſmall grief unto me to hear the mouth of ſo many, upon this occaſion, open to load you with innumerable malicious and detracting ſpeeches, as if no muſic were more pleaſing to my ear, than to rail of you: which made me rather regret the ill nature of mankind, that, like dogs, love to ſet upon them, that they ſee ſnatched at.

And, to conclude, my Lord, you have hereby a fair occaſion, ſo to make good hereafter your reputation, by your ſincere ſervice to his Majeſty, as alſo by your firm and conſtant kindneſs to your friends, as I may (your Lordſhip's old friend) participate of the comfort and honour, that will thereby come to you. Thus I reſt at laſt

Your Lordſhip's faithful friend and ſervant,

G. B.

The force of your old kindneſs hath made me ſet down this in writing unto you, which ſome, that have deſerved ill of me in this action, would be glad to obtain by word of mouth, though they be far enough from it, for ought I yet ſee. But I beſeech your Lordſhip to reſerve this ſecretly to yourſelf only, till our meeting at Hampton-Court, leſt his Majeſty ſhould be highly offended, for a cauſe that I know.

Indorſed,

A letter of reconciliation from Lord Buckingham, after his Majeſty's return from Scotland.

To the Earl of BUCKINGHAM.

My very good Lord,

IT may pleaſe your Lordſhip to let his Majeſty underſtand, that I have ſpoken with all the Judges, ſignifying to them his Majeſty's pleaſure touching the commendams. They all *una voce* did re-affirm, that his Majeſty's powers, neither the power of the Crown, nor the practiſed power by the Archbiſhop, as well in the commendam *ad recipiendum*, as the commendam *ad retinendum*, are intended to be touched; but that the judgement is built upon the particular defects and informalities of this commendam now before them. They received with much comfort, that his Majeſty took ſo well at their hands the former ſtay, and were very well content and deſirous, that when judgement is given, there be a faithful report made of the reaſon thereof.

The accounts of the ſummer-circuits, as well as that of the lent-circuit, ſhall be ready againſt his Majeſty's coming. They will alſo be ready with ſome account of their labours concerning Sir Edward Coke's *Reports*: wherein I told them his Majeſty's meaning

meaning was, not to diſgrace the perſon, but to rectify the work, having in his royal contemplation rather poſterity than the preſent.

The two points touching the peace of the middle ſhires, I have put to a conſult with ſome ſelected Judges.

The cauſe of the Egertons I have put off, and ſhall preſently enter into the treaty of accord, according to his Majeſty's commandment, which is well taſted abroad in reſpect of his compaſſion towards thoſe ancient families.

God ever preſerve and proſper your Lordſhip, according to the faithful and fervent wiſhes of

Your Lordſhip's true friend,

and devoted ſervant,

York-houſe, October 11, 1617.

FR. BACON.

To the Earl of BUCKINGHAM.

My very good Lord,

I HAVE reformed the ordinance according to his Majeſty's corrections, which were very material. And for the firſt of *phraſis non placet*, I underſtand his Majeſty, nay farther, I underſtand myſelf, the better for it. I ſend your Lordſhip therefore ſix privy ſeals; for every court will look to have their ſeveral warrant. I ſend alſo two bills for letters patents to the two reporters: and for the perſons, I ſend alſo four names, with my commendations of thoſe two, for which I will anſwer upon my knowledge. The names muſt be filled in the blanks; and ſo they are to be returned.

For the buſineſs of the Court of Wards, your Lordſhip's letter found me in the care of it. Therefore, according to his Majeſty's commandment, by you ſignified, I have ſent a letter for his Majeſty's ſignature. And the directions themſelves are alſo to be ſigned. Theſe are not to be returned to me, leſt the ſecret come out; but to be ſent to my Lord of Wallingford, as the packets uſe to be ſent.

I do much rejoice to hear of his Majeſty's health and good diſpoſition. For me, though I am inceſſantly in buſineſs, yet the re-integration of your love maketh me find all things eaſy.

God preſerve and proſper you.

Your Lordſhip's true friend,

and devoted ſervant,

York-houſe, October 18, 1617.

FR. BACON.

To the LORD KEEPER (*).

My honourable Lord,

I HAVE delivered the Judges advice, touching the middle ſhires, unto his Majeſty, who liketh it very well. As for the point of law, his Majeſty will conſider of it at more leiſure, and then ſend you his opinion thereof. And ſo I reſt

Your Lordſhip's faithful friend and ſervant,

Hinchingbroke, the 22d of October, 1617.

G. BUCKINGHAM.

(*) Harl. MSS. Vol. 7006.

To

To the LORD KEEPER (*).

My honourable Lord,

HIS Majeſty hath ſpent ſome time with Sir Lionel Cranfield about his own buſineſs, wherewith he acquainted his Majeſty. He hath had ſome conference with your Lordſhip, upon whoſe report to his Majeſty of your zeal and care of his ſervice, which his Majeſty accepteth very well at your hands, he hath commanded Sir L. Cranfield to attend your Lordſhip, to ſignify his farther pleaſure for the furtherance of his ſervice; unto whoſe relation I refer you. His Majeſty's farther pleaſure is, you acquaint no creature living with it, he having reſolved to rely upon your care and truſt only.

Thus, wiſhing you all happineſs, I reſt

Your Lordſhip's faithful friend and ſervant,

October 26, 1617.

G. BUCKINGHAM.

Sir FRANCIS ENGLEFYLD (*b*) *to the* LORD KEEPER.

Right Honourable,

GIVE me leave, I beſeech your Lordſhip, for want of other means, by this paper to let your Lordſhip underſtand, that notwithſtanding I reſt in no

(*) Harl. MSS. Vol. 7096.

(*b*) This gentleman was very unfortunate in his behaviour, with regard to thoſe, who had the great ſeal; for in Hilary Term of the year 162½, he was fined 3000l. by the Star-Chamber, for caſting an imputation of bribery on the Lord Keeper Williams, Biſhop of Lincoln. MS. Letter of Mr. Chamberlain to Sir Dudley Carleton, dated at London, 162½. Sir

no contempt, nor have to my knowledge broken any order made by your Lordſhip concerning the truſt, either for the payment of money, or aſſignment of land; yet, by reaſon of my cloſe impriſonment, and the unuſual carriage of this cauſe againſt me, I can get no council, who will in open court deliver my caſe unto your Lordſhip. I muſt therefore humbly leave unto your Lordſhip's wiſdom, how far your Lordſhip will, upon my adverſary's fraudulent bill exhibited by the wife without her huſband's privity, extend the moſt powerful arm of your authority againſt me, who deſire nothing but the honeſt performance of a truſt, which I know not how to leave, if I would. So, nothing doubting but your Lordſhip will do what appertaineth to juſtice, and the eminent place of equity your Lordſhip holdeth, I muſt, ſince I cannot underſtand from your Lordſhip the cauſe of my late cloſe reſtraint, reſt, during your Lordſhip's pleaſure,

Your Lordſhip's cloſe priſoner in the Fleet,

October 28, 1617.

FR. ENGLEFYLD.

Francis had been committed to the Fleet for a contempt of a decree in Chancery; upon which he was charged, by Sir John Bennet, with having ſaid before ſufficient witneſs, "that he "could prove this holy Biſhop Judge had been bribed by ſome, "that ſared well in their cauſes." A few days after the ſentence in the Star-Chamber, the Lord Keeper ſent for Sir Francis, and told him, he would refute his foul aſperſions, and prove upon him, that he ſcorned the pelf of the world, or to exact, or make lucre of any man: and that for his own part, he forgave him every penny of his fine, and would crave the ſame mercy towards him from the King. Biſhop Hacket's *Life of Archbiſhop Williams*, Part I. p. 83, 84.

To the LORD KEEPER (*).

My honourable Lord,

I HAVE thought good to renew my motion to your Lordſhip, in the behalf of my Lord of Huntingdon, my Lord Stanhope, and Sir Thomas Geraid; for that I am more particularly acquainted with their deſires; they only ſeeking the true advancement of the charitable uſes, unto which the land, given by their grandfather, was intended: which, as I am informed, was meant by way of a corporation, and by this means, that it might be ſettled upon the ſchool-maſter, uſher, and poor, and the coheirs to be viſitors. The tenants might be conſcionably dealt withall; and ſo it will be out of the power of any feoffees to abuſe the truſt; which, it hath been lately proved, have been hitherto the hindrance of this good work. Theſe coheirs deſire only the honour of their anceſtor's gift, and wiſh the money, miſemployed and ordered to be paid into court by Sir John Harper, may rather be beſtowed by your Lordſhip's diſcretion for the augmentation of the foundation of their anceſtors, than by the cenſure of any other. And ſo I reſt

Your Lordſhip's ſervant,

Theobalds, November 12.

G. BUCKINGHAM.

Indorſed, 1617.

To the LORD KEEPER (*).

My honourable Lord,

THOUGH I had reſolved to give your Lordſhip no more trouble in matters of controverſy depending before you, with what importance ſoever

(*) Harl. MSS. Vol. 7006.

my letters had been; yet the reſpect I bear unto this gentleman hath ſo far forced my reſolution, as to recommend unto your Lordſhip the ſuit, which, I am informed by him, is to receive a hearing before you on Monday next, between Barneby Leigh and Sir Edward Dyer, plaintiffs, and Sir Thomas Thynne (c), defendant; wherein I deſire your Lordſhip's favour on the plaintiffs ſo far only, as the juſtice of their cauſe ſhall require. And ſo I reſt

Your Lordſhip's faithful ſervant,

Newmarket, the 15th of Nov.

G. BUCKINGHAM.

Indorſed, 1617.

To the LORD KEEPER (*).

My honourable Lord,

THE certificate being returned upon the commiſſion touching Sir Richard Haughton's alum-mines, I have thought fit to deſire your Lordſhip's furtherance in the buſineſs, which his Majeſty (as your Lordſhip will ſee by his letter) much affecteth as a bargain for his advantage, and for the preſent relief of Sir Richard Haughton. What favour your Lordſhip ſhall do him therein, I will not fail to acknowledge, and will ever reſt

Your Lordſhip's faithful ſervant,

G. BUCKINGHAM.

Indorſed, *Received November* 16, 1617.

(c) eldeſt ſon of Sir John Thynne, Knight, who died November 21, 1604. This Sir Thomas's younger ſon by his firſt wife, Mary, daughter of George, Lord Audley, was father of Thomas Thynne, Eſq; aſſaſſinated by the followers of Count Coningſmark, February 12, 168⅔.

(*) Harl. MSS, Vol. 7006.

To

To the LORD KEEPER (*).

My honourable Lord,

I HAVE acquainted his Majeſty with your Lordſhip's letter, who liketh well of the Judges opinion you ſent unto him, and hath pricked the Sheriff of Buckinghamſhire in the roll you ſent, which I return ſigned unto your Lordſhip.

His Majeſty takes very well the pains you have taken in ſending to Sir Lionel Cranfield; and deſireth you to ſend to him again, and to quicken him in the buſineſs.

Your Lordſhip's faithful friend and ſervant,

G. BUCKINGHAM.

His Majeſty liketh well the courſe taken about his houſhold, wherewith he would have your Lordſhip, and the reſt of his council, to go forward.

Newmarket, the 17th of November, 1617.

Indorſed,

My Lord of Buckingham ſhewing his Majeſty's approbation of the courſes held touching the houſhold.

To the LORD KEEPER (*).

My honourable Lord,

UNDERSTANDING, that Thomas Hukeley, a merchant of London, of whom I have heard a good report, intendeth to bring before your Lordſhip in Chancery a cauſe depending between him, in the right of his wife, daughter of William

(*) Harl. MSS. Vol. 7006.

Auſten,

Auſten, and one John Horſemendon, who married another daughter of the ſaid Auſten; I have thought fit to deſire your Lordſhip to give the ſaid Thomas Hukeley a favourable hearing, when his cauſe ſhall come before you; and ſo far to reſpect him for my ſake, as your Lordſhip ſhall ſee him grounded upon equity and reaſon; which is no more than, I aſſure myſelf, your Lordſhip will grant readily, as it is deſired by

Your Lordſhip's faithful friend and ſervant,

G. BUCKINGHAM.

Indorſed, *November* 17, 1617.

To the Earl of BUCKINGHAM *(d)*.

My very good Lord,

THE laſt letter of my Lords, whereof the concluſion indeed is a little *blunt*, as the King calleth it, was concluded in my abſence, which hath been but once ſince I came to this town; and brought me by the Clerk of the Council, as I ſat in Chancery. Whereupon I retired to a little cloſet I have there, and ſigned it, not thinking fit to ſever.

For my opinion, I diſpatched it the morrow following. And till Sir Lionel Cranfield (*e*) be able to

(*d*) In anſwer to his Lordſhip's letter from Newmarket, November 19, 1617, printed in Lord Bacon's works.

(*e*) He was originally a merchant in the city of London, introduced to the King's knowledge by the Earl of Northampton, and into his ſervice by the Earl of Buckingham, being the great projector for reforming the King's houſhold, advancing the cuſtoms, and other ſervices; for which he was made Lord Treaſurer, Baron Cranfield, and Earl of Middleſex; but being accuſed by the houſe of commons for miſdemeanors in his office, he had a ſevere ſentence paſſed upon him by the Lords in 1624.

execute

execute his part in the ſub-commiſſion, it will, in my opinion, not be ſo fit to direct it. He crept to me yeſternight, but he is not well. I did his Majeſty's meſſage to him touching the tobacco; and he ſaid he would give his Majeſty very real and ſolid ſatisfaction touching the ſame.

This is all for the preſent I ſhall trouble your Lordſhip withal, reſting ever

Your Lordſhip's true friend,

and devoted ſervant,

November 20, 1617.

FR. BACON.

To the LORD KEEPER (*).

My honourable Lord,

HIS Majeſty liketh very well of the draught your Lordſhip ſent of the letter for the ſub-commiſſion, and hath ſigned it, as it was, without any alteration, and ſent it to the Lords. Which is all I have to write at this time, but that I ever reſt

Your Lordſhip's faithful friend and ſervant,

Newmarket, the 2d of Decemb. 1617.

G. BUCKINGHAM.

To the LORD KEEPER (*).

My honourable Lord,

HIS Majeſty hath been pleaſed to refer a petition of one Sir Thomas Blackſtones to your Lordſhip, who being brother-in-law to a gentleman, whom I much reſpect, Sir Henry Conſtable, I have,

(*) Harl. MSS. Vol. 7006.

at

at his requeſt, yielded to recommend his buſineſs ſo far to your Lordſhip's favour, as you ſhall find his caſe to deſerve compaſſion, and may ſtand with the rules of equity. And ſo I reſt

Your Lordſhip's faithful friend and ſervant,

Newmarket, the 4th of December.

G. BUCKINGHAM.

Indorſed, 1617.

To the Earl of BUCKINGHAM.

My very good Lord,

YOUR Lordſhip may marvel, that together with the letter from the board, which, you ſee, paſſed ſo well, there came no particular letter from myſelf; wherein, though it be true, that now this very evening I have made even with the cauſes of Chancery, and comparing with the cauſes heard by my Lord *(f)*, that dead is, of Michaelmaſs-term was twelvemonth, I find them to be double ſo many and one more; beſides that the cauſes, that I diſpatch, do ſeldom turn upon me again, as his many times did; yet nevertheleſs, I do aſſure your Lordſhip, that ſhould have been no excuſe to me, who ſhall ever aſſign both to the cauſes of the ſubject, yea, and to my health, but the leavings of times after his Majeſty's buſineſs done. But the truth is, I could not ſpeak with Sir Lionel Cranfield, with whom of neceſſity I was to confer about the names, till this afternoon.

Firſt, therefore, I ſend the names, by his advice, and with mine own good allowance of thoſe, which we wiſh his Majeſty ſhould ſelect; wherein I have had

(f) Chancellor Ellesmere.

reſpect

reſpect ſomewhat to form, more to the avoiding of oppoſition, but moſt to the ſervice.

Two moſt important effects his Majeſty's letter hath wrought already: the one, that we perceive his Majeſty will go through ſtitch; which goeth to the root of our diſeaſe. The other, that it awaketh the particular officers, and will make their own endeavours and propoſitions leſs perfunctory, and more ſolid and true for the future. Somewhat is to be done preſently, and ſomewhat by ſeaſonable degrees. For the preſent, my advice is, his Majeſty would be pleaſed to write back to the table, that he doth well approve, that we did not put back or retard the good ways we were in of ourſelves; and that we underſtood his Majeſty's right: that his late direction was to give helps, and not hindrance, to the former courſes; and that he doth expect the propoſitions we have in hand, when they are finiſhed: and that for the ſub-commiſſions, he hath ſent us the names he hath choſen out of thoſe by us ſent and propounded; and that he leaveth the particular directions from time to time, in the uſe of the ſub-commiſſioners, wholly to the table.

This I conceive to be the faireſt way; firſt to ſeal the ſub-commiſſion without opening the nature of their employments, and without ſeeming, that they ſhould have any immediate dependance upon his Majeſty, but merely upon the table.

As for that, which is to be kept in breaſt, and to come forth by parts, the degrees are theſe:

Firſt, to employ the ſub-commiſſioners in the reconſidering of thoſe branches, which the ſeveral officers ſhall propound.

Next, in taking conſideration of other branches of retrenchment, beſides thoſe, which ſhall be propounded.

The third, to take into conſideration the great and huge arrears and debts in every office; whether there

there be cauſe to abate them upon deceit or abuſe; and at leaſt how to ſettle them beſt, both for the King's honour, and avoiding of clamour, and for the taking away, as much as may be, that ſame ill influence and effect, whereby the arrear paſt deſtroys the good huſbandry and reformation to come.

The fourth is to proceed from the conſideration of the retrenchments and arrears to the improvements.

All theſe four, at leaſt the laſt three, I wiſh not to be ſtirred in till his Majeſty's coming.

God ever preſerve and proſper you.

Your Lordſhip's true friend,
and devoted ſervant,

FR. BACON.

Your Lordſhip will be pleaſed to have a little care of the beſtowing of this letter.

York-houſe, this 6th of December, 1617.

To the LORD KEEPER (*).

My honourable Lord,

LEST Mr. Secretary (*g*) ſhould be come away before the delivery of this packet, I have thought fit to direct it to your Lordſhip, with this letter to your Lordſhip about the Court of Wards, and another to the Lords from his Majeſty. Which is all I have now to write, but that I ever reſt

Your Lordſhip's faithful friend and ſervant,

Newmarket, the 7th of December, 1617.

G. BUCKINGHAM.

(*) Harl. MSS. Vol. 7006.

(*g*) Sir Thomas Lake. His colleague, Secretary Winwood, died October 27, 1617; and Sir Robert Naunton ſucceeded to the poſt of Secretary, January 8, 161⅞, from that of Surveyor of the Court of Wards.

To the LORD KEEPER (*).

My honourable Lord,

I HAVE acquainted his Majeſty with your Lordſhip's letter, who hath followed your directions therein, and written to the Lords accordingly. Which is all I have now to write to your Lordſhip, but that I ſhall ever reſt

Your Lordſhip's faithful friend and ſervant,

Newmarket, the 9th day of December, 161-. G. BUCKINGHAM.

Indorſed,

My Lord of Buckingham to your Lordſhip, ſhewing the King's liking of your opinion and choice of names for ſub-commiſſion.

To the Earl of BUCKINGHAM.

My very good Lord,

YOUR Lordſhip's letters patents (*b*) are ready. I would be glad to be one of the witneſſes at the delivery; and therefore, if the King and your Lordſhip will give me leave, I will bring it to-morrow at any hour ſhall be appointed.

Your Lordſhip's ever,

New-Year's eve, 161-. FR. BACON.

(*) Harl. MSS. Vol. 7006.

(*b*) for the title of Marquis of Buckingham to himſelf and the male-heirs of his body.

I was

I was bold to ſend your Lordſhip, for your New-Year's gift, a plain cap of eſſay, in token, that if your Lordſhip in any thing ſhall make me your ſayman, I will be hurt before your Lordſhip ſhall be hurt. I preſent therefore to you my beſt ſervice, which ſhall be my All-Years gift.

To the Earl of BUCKINGHAM.

My very good Lord,

SIR George Chaworth and I am agreed, ſo that now I ſhall retain the grace of my place, and yet he rewarded. The King hath no ill bargain; for he hath four times as much as he was offered by Sir George of increaſe; and yet I take upon me to content my ſervants, and to content him. Nevertheleſs, I ſhall think myſelf pleaſured by his Majeſty, and do acknowledge, that your Lordſhip hath dealt very honourably and nobly with me.

I ſend incloſed a letter, whereby your Lordſhip ſignifieth his Majeſty's pleaſure to me; and I ſhall make the warrant to Mr. Attorney. I deſire it may be carried in privateneſs. I ever reſt

Your Lordſhip's true friend,

and devoted ſervant,

This New-Year's eve, 1617.

FR. BACON.

To Sir JAMES FULLERTON (*i*).

I PRESUME to ſend his Highneſs this pair of ſmall candleſticks, that his light, and the light of his poſterity, upon the church and commonwealth,

(*i*) He had been Surveyor of the Lands to Prince Charles, when Duke of York; and was Groom of the Stole to him, when King. He died in January, 1623.

may

may never fail. I pray you do me the favour to preſent it to his Highneſs, with my beſt and humbleſt ſervice.

Your moſt affectionate and aſſured friend,

FR. BACON, *C. S.*

To the LORD CHANCELLOR (*k*).

My honourable Lord,

I HAVE heretofore recommended unto your Lordſhip the determination of the cauſe between Sir Rowland Egerton and Edward Egerton (*l*), who, I underſtand, did both agree, being before your Lordſhip, upon the values of the whole lands. And as your Lordſhip hath already made ſo good an entrance into the buſineſs, I doubt not but you will be as noble in furthering the full agreement between the parties: whereunto, I am informed, Sir Rowland Egerton is very forward, offering on his part that, which to me ſeemeth very reaſonable, either to divide the lands, and his adverſe party to chooſe; or the other to divide, and he to chooſe. Whereupon my deſire to your Lordſhip is, that you would accordingly make a final end between them, in making a diviſion, and ſetting forth the lands, according to the values agreed upon by the parties themſelves. Wherein, beſides the charitable work your Lordſhip ſhall do in making an end of a controverſy between thoſe, whom

(*k*) Sir Francis Bacon had that title given him January 4.

(*l*) This was one of the cauſes mentioned in the charge of the Houſe of Commons againſt the Lord Bacon; in his anſwer to which, he acknowledged, that ſome days after perfecting his award, which was done with the advice and conſent of the Lord Chief Juſtice Hobart, and publiſhing it to the parties, he received 300*l.* of Mr. Edward Egerton, by whom, ſoon after his coming to the ſeal, he had likewiſe been preſented with 400*l.* in a purſe.

name and blood ſhould tie together, and keep in unity, I will acknowledge your favour as unto myſelf, and will ever reſt

Your Lordſhip's faithful ſervant,

Theobalds, the 9th of January, 1617. G. BUCKINGHAM.

To the LORD CHANCELLOR (*).

My honourable Lord,

HIS Majeſty having given order to Mr. Solliciter (*m*) to acquaint your Lordſhip with a buſineſs touching ale-houſes (*n*), that upon conſideration thereof you might certify your opinion unto his Majeſty, whether it be fit to be granted or not; I have thought fit to deſire your Lordſhip to give it what favour and furtherance you may, if you find it reaſonable, and not prejudicial to his Majeſty's ſervice, becauſe it concerneth Mr. Patrick Maule, and my brother, Chriſtopher Villiers, whoſe benefit I have reaſon to wiſh and advance by any juſt courſes. And ſo I reſt

Your Lordſhip's faithful ſervant,

Royſton, the 11th of Jan. 1617. G. BUCKINGHAM.

(*) Harl. MSS. Vol. 7006. (*m*) Sir Thomas Coventry.

(*n*) The Lord Chancellor, in his letter to the Marquis of Buckingham, dated January 25, 1617, printed in his works, has the following paſſage: "For the ſuit of the *ale-houſes*, which "concerneth your brother, Mr. Chriſtopher Villiers, and Mr. "Patrick Maule, I have conferred with my Lord Chief Juſtice "and Mr. Sollicitor thereupon, and there is a ſcruple in it, that "it ſhould be one of the grievances put down in parliament: "which if it be, I may not, in my duty and love to you, adviſe "you to deal in it; if it be not, I will mould in the beſt man-"ner, and help it forward." A patent for licenſing ale-houſes being afterwards granted to Sir Giles Mompeſſon and Sir Francis Mitchel, and greatly abuſed by them, they were puniſhed for thoſe abuſes by the parliament, which met January 30, 1623.

To

To the LORD CHANCELLOR (*).

My honourable Lord,

SIR John Cotton (*o*) having acquainted me with a petition he intended to exhibit to his Majeſty, that, without any apparent fault committed by him, he was put from his office of *Cuſtos Rotulorum*; I have perſuaded him to forbear the preſenting of his petition until I had written to your Lordſhip, and received your anſwer. I have therefore thought fit to ſignify unto your Lordſhip, that he is a gentleman, of whom his Majeſty maketh good eſteem, and hath often occaſion to uſe his ſervice: and therefore, beſides that he is a man of good years, and hath ſerved long in the place, I know his Majeſty, out of theſe reſpects, will be loth he ſhould receive any diſgrace. I deſire therefore to underſtand from your Lordſhip the reaſons of his remove, that, if I cannot give ſatisfaction to the gentleman himſelf, I may at leaſt make anſwer to his Majeſty for that act of your Lordſhip's, which is alledged to be very unuſual, unleſs upon ſome precedent miſdemeanor of the party. Thus, having in this point diſcharged my part in taking the beſt courſe I could, that no complaint ſhould come againſt you to the King, I reſt

Your Lordſhip's faithful friend,

Newmarket, the 16th of January, 1617. G. BUCKINGHAM.

(*) Harl. MSS. Vol. 7006.

(*o*) of Landwade, in Cambridgeſhire, Knight. He ſerved many years as knight of the ſhire for that county, and died in 1620, at the age of ſeventy-ſeven. His eldeſt ſon, Sir John Cotton, was created a Baronet, July 14, 1641.

To Sir HENRY YELVERTON, *Attorney General.*

Mr. Attorney,

WHEREAS there dependeth before me in Chancery a great cauſe of tythes concerning the benefices of London, though in a particular, yet, by conſequence, leading to a general; his Majeſty, out of a great and religious care of the ſtate, both of church and city, is graciouſly pleaſed, that before any judicial ſentence be pronounced in Chancery, there be a commiſſion directed unto me, the Lord Chancellor, Lord Treaſurer, the Lord Privy-Seal, and the Lord Chamberlain; and likewiſe to the Lord Archbiſhop, the Lord Biſhop of Wincheſter (*p*), and the Biſhop of Ely (*q*), and alſo to the Maſter of the Rolls (*r*), the two Lord Chief Juſtices (*s*), Juſtice Dodderidge, and Juſtice Hutton, who formerly aſſiſted me in the cauſe, to treat of ſome concord in a reaſonable moderation between the miniſters and the Mayor and the commonalty of London in the behalf of the citizens; and to make ſome pact and tranſaction between them by conſent, if it may be; or otherwiſe to hear and certify their opinions touching the cauſe, that thereupon his Majeſty may take ſuch farther order, by directing of a proceeding in Chancery, or by ſome other courſe, as to his wiſdom ſhall ſeem fit.

You will have care to draw the commiſſion with ſome preface of honour to his Majeſty, and likewiſe to inſert in the beginning of the commiſſion, that it

(*p*) Dr. James Montagu. (*q*) Dr. Lancelot Andrews.
(*r*) Sir Julius Cæſar.
(*s*) Sir Henry Montagu of the King's Bench, and Sir Henry Hobart of the Common Pleas.

was

was *de adviſamento cancellarii* (as it was indeed) leſt it ſhould ſeem to be taken from the court. So I commit you to God's &c.

January 19, 1617.

FR. BACON, *Canc.*

To the Marquis of BUCKINGHAM.

My very good Lord,

I DO not eaſily fail towards gentlemen of quality to diſgrace them. For I take myſelf to have ſome intereſt in the good wills of the gentlemen of England, which I keep and cheriſh for his Majeſty's ſpecial ſervice. And for this gentleman, of whom you write, Sir John Cotton, I know no cauſe in the world, why I ſhould have diſplaced him, but that it was certified unto me, that it was his own deſire to reſign: wherein if I was abuſed, I will reſtore him. But if he did conſent, and, now it is done, changeth his mind, then I would be loth to diſgrace the other, that is come in. Therefore I pray your Lordſhip, that I may know and be informed from himſelf what paſſed touching his conſent; and I will do him reaſon.

Thus, with my thanks to your Lordſhip, I will ever reſt

Your Lordſhip's true friend,

and moſt devoted ſervant,

January 20, 1617.

FR. BACON, *Canc.*

Indorſed,

To the Marquis of Buckingham, concerning Sir John Cotton's reſigning the place of Cuſtos Rotulorum of Cambridgeſhire.

To the LORD CHANCELLOR (*).

My honourable Lord,

I THANK your Lordſhip for your favour to Sir George Tipping, in giving liberty unto him to make his appearance before you after the holy-days, at my requeſt; who, as I underſtand by ſome friends of mine, who moved me to recommend him to your Lordſhip's favour, is willing to conform himſelf in performance of the decree made in the Chancery by your Lordſhip's predeceſſor, but that he is perſuaded, that preſently, upon the performance thereof, his ſon will make away the land, that ſhall be conveyed unto him: which being come to Sir George from his anceſtors, he deſireth to preſerve to his poſterity. I deſire your Lordſhip's farther favour therefore unto him, that you will find out ſome courſe, how he may be exempted from that fear of the ſale of his lands, whereof he is ready to acknowledge a fine to his ſon, and to his heirs by Anne Pigot; and, they failing, to his ſon's heirs males, and, for want thereof, to any of his ſon's or brethren's heirs males, and ſo to the heirs general of his father and himſelf by lineal deſcent, and the remainder to the crown. This offer, which ſeemeth very reaſonable, and for his Majeſty's advantage, I deſire your Lordſhip to take into your conſideration, and to ſhew him what favour you may for my ſake; which I will readily acknowledge, and ever reſt

Your Lordſhip's faithful ſervant,

Newmarket, the 23d of January, 1617. G. BUCKINGHAM.

(*) Harl. MSS. Vol. 7006.

To

To the LORD CHANCELLOR (*).

My honourable Lord,

SINCE I received your Lordſhip's letter, Sir Lionel Cranfield being here, hath informed his Majeſty of the whole proceeding in his buſineſs of the houſhold; which his Majeſty liketh very well, and is glad it is approved by your Lordſhip, of whoſe care and pains therein he receiveth very good ſatisfaction.

In the buſineſs touching Sir John Cotton, your Lordſhip dealeth as nobly as can be deſired; and ſo, if it ſhould come in queſtion before his Majeſty, I would anſwer in your behalf. I leave Sir John Cotton to inform your Lordſhip by his letter of the buſineſs, and ever reſt

Your Lordſhip's faithful ſervant,

Newmarket, the 24th of January, 1617. G. BUCKINGHAM.

To the LORD CHANCELLOR (*).

My honourable Lord,

I HAVE been intreated by a gentleman, whom I much reſpect, to recommend to your Lordſhip's favour Mr. John Huddy, between whom and Mr. Richard Huddy there is, as I am informed, a cauſe to be heard before your Lordſhip in the Chancery on Saturday next. My deſire unto your Lordſhip is, that you would ſhew the ſaid John Huddy what favour you lawfully may, and as his cauſe will bear,

(*) Harl. MSS. Vol. 7006.

when it cometh before you, for my ſake. Which I will not fail to acknowledge, ever reſting

Your Lordſhip's faithful ſervant,

Newmarket, the 28th of January, 1617. G. BUCKINGHAM.

To the LORD CHANCELLOR (*).

My honourable Lord,

I UNDERSTAND, that his Majeſty hath been pleaſed to refer a ſuit unto him by two of his ſervants, Robert Maxwell and John [illegible], for the making of Sheriffs and Eſcheators [illegible] to your Lordſhip's conſideration. My deſire unto your Lordſhip on their behalf is, that you would ſhew them thus much favour for my ſake, as with as much expedition, as may be, and your Lordſhip's other occaſions may permit, to certify your opinion thereof unto his Majeſty; which I will be ready to acknowledge, and ever reſt

Your Lordſhip's faithful ſervant,

Newmarket, the 4th day of February, 1617. G. BUCKINGHAM.

To the LORD CHANCELLOR (*).

My honourable Lord,

THOUGH I had reſolved not to write to your Lordſhip in any matter between party and party; yet at the earneſt requeſt of my noble friend, the Lord Norris, to whom I account myſelf much be-

(*) Harl. MSS. Vol. 7006.

holden

holden, I could not but recommend unto your Lordſhip's favour a ſpecial friend of his, Sir Thomas Monk, who hath a ſuit before your Lordſhip in the Chancery (*t*) with Sir Robert Baſſet; which, upon the report made unto me thereof, ſeemeth ſo reaſonable, that I doubt not but the cauſe itſelf will move your Lordſhip to favour him, if, upon the hearing thereof, it ſhall appear the ſame unto your Lordſhip, as at the firſt ſight it doth unto me. I therefore deſire your Lordſhip to ſhew in this particular what favour you lawfully may, for my ſake, who will account it as done unto myſelf; and will ever reſt

Your Lordſhip's faithful ſervant,

Newmarket; the 4th day of Feb. 1617. G. BUCKINGHAM.

To the Marquis of BUCKINGHAM.

My very good Lord,

I HAVE ſent incloſed a letter to his Majeſty about the public charge I am to give the laſt Star-Chamber day, which is this day ſevennight, to the Judges and Juſtices before the circuits. I pray deliver it to his Majeſty with ſpeed. I ſend alſo ſome papers appertaining to that buſineſs, which I pray your Lordſhip to have in readineſs, if his Majeſty call for them. I ever reſt

Your Lordſhip's true friend,

and devoted ſervant,

February 6, 1617.

FR. BACON, *Canc.*

(*t*) Lord Bacon was afterwards accuſed by the Houſe of Commons of having received of Sir Thomas Monk 100 pieces; which he did not deny, but alledged, that it was after the ſuit was ended.

To the LORD CHANCELLOR (*).

My honourable Lord,

HIS Majeſty marvelleth, that he heareth nothing of the buſineſs touching the gold and ſilver thread (*u*); and therefore hath commanded me to write unto your Lordſhip to haſten the diſpatch of it; and to give him as ſpeedy an account thereof, as you can. And ſo I reſt

Your Lordſhip's faithful ſervant,

Newmarket, 7th of February. G. BUCKINGHAM.

Indorſed, 1617.

To the LORD CHANCELLOR (*).

My honourable Lord,

I UNDERSTAND by this bearer, Edward Hawkins, how great pains your Lordſhip hath taken, in the buſineſs, which I recommended to you concerning him, and how favourably your Lordſhip hath uſed him for my ſake. For which I give your Lordſhip many thanks, and will be ever ready to acknowledge your favour toward him by all the teſtimonies of

Your Lordſhip's faithful friend,

Theobalds, the 12th of February, 1617. G. BUCKINGHAM.

(*) Harl. MSS. Vol. 7006.

(*u*) A patent for the monopoly of which was granted to Sir Giles Mompeſſon and Sir Francis Mitchel, who were puniſhed for the abuſe of that patent by the parliament, which met January 30, 1624.

To

To the LORD CHANCELLOR (*).

My honourable Lord,

I HAVE acquainted his Majeſty with your letter, who liketh well of the courſe you mention in the end of your letter, and will ſpeak with you farther of it at his return to London. In the mean time, he would have your Lordſhip give direction to the Maſter of the Rolls (*x*) and Mr. Attorney (*y*) to ſtay the examination. And ſo I reſt

Your Lordſhip's moſt aſſured

to do you ſervice,

Hampton-Court, the 18th of March, 1617.

G. BUCKINGHAM.

To the LORD CHANCELLOR *of Ireland* (*z*).

My Lord Chancellor,

I WILL not have you account the days of my not anſwering your letter. It is a thing impoſed upon the multitude of my buſineſs to lodge many things faithfully, though I make no preſent return.

Your conjunction and good underſtanding with the Deputy (*a*) I approve and commend; for I ever loved intire and good compoſitions, which was the old phyſic, better than fine ſeparations.

Your friendly attributes I take as effects of affection; which muſt be cauſes of any good offices, wherewith I can requite you.

(*) Harl. MSS. Vol. 7006.

(*x*) Sir Julius Cæſar. (*y*) Sir Henry Yelverton.

(*z*) Dr. Thomas Jones, Archbiſhop of Dublin, who died April 10, 1619.

(*a*) Sir Oliver St. John, afterwards Viſcount Grandiſon. He died at Batterſea in Surrey, December 29, 1630, aged ſeventy.

We

We conceive that kingdom is in growth. God ſend ſoundneſs to the increaſe; wherein I doubt not but your Lordſhip will do your part. God keep you.

Your Lordſhip's very loving friend,

York-houſe, April 15, 1618. FR. BACON, *Canc.*

To the LORD CHIEF JUSTICE *of Ireland* (*b*).

My Lord Chief Juſtice,

I THANK you for your letter, and aſſure you, that you are not deceived, neither in the care I have of the public in that ſtate, nor in my good wiſhes, and the effects thereof, when it ſhall lie in my power towards yourſelf.

I am glad to receive your teſtimony of my Lord Deputy, both becauſe I eſteem your judgement, and becauſe it concurreth with my own.

The materials of that kingdom, which is trade and wealth, grow on apace. I hope the form, which giveth the beſt living of religion and juſtice, will not be behind, the rather by you, as a good inſtrument. I reſt

Your Lordſhip's aſſured friend,

York-houſe * * of April, 1618. FR. BACON, *Canc.*

To the LORD CHANCELLOR (*).

My honourable Lord,

UNDERSTANDING, that there is a ſuit depending before your Lordſhip between Sir

(*b*) Sir William Jones, to whom, upon his being called to that poſt, the Lord Keeper made a ſpeech, printed in his works.

(*) Harl. MSS. Vol. 7006.

Rowland

Rowland Cotton (*c*), plaintiff, and Sir John Gawen, defendant, which is ſhortly to come to a hearing; and having been likewiſe informed, that Sir Rowland Cotton hath undertaken it in the behalf of certain poor people; which charitable endeavour of his, I aſſure myſelf, will find ſo good acceptation with your Lordſhip, that there ſhall be no other uſe of recommendation: yet, at the earneſt requeſt of ſome friends of mine, I have thought fit to write to your Lordſhip in his behalf, deſiring you to ſhew him what favour you lawfully may, and the cauſe may bear, in the ſpeedy diſpatch of his buſineſs; which I ſhall be ever ready to acknowledge, and reſt

Your Lordſhip's moſt devoted to ſerve you,

Whitehall, the 20th day of Apr. 1618. G. BUCKINGHAM.

To the LORD CHANCELLOR (*).

My honourable Lord,

I WILL not go about to excuſe mine own fault, by making you believe his Majeſty was backward in your buſineſs; but upon the firſt motion, he gave me directions for it; which it was my negligence, as I freely confeſs, that I have no ſooner performed,

(*c*) a gentleman eminent for his learning, eſpecially in the Hebrew language, in which he had been inſtructed by the famous Hugh Broughton, who died in 1612. He was ſon of Mr. William Cotton, citizen and draper of London, and had an eſtate at Bellaport in Shropſhire, where he reſided, till he came to live at London at the requeſt of Sir Allen Cotton, his father's younger brother, who was Lord Mayor of that city in 1625. Sir Rowland was the firſt patron of the learned Dr. Lightfoot, and encouraged him in the proſecution of his ſtudies of the Hebrew language and antiquities.

(*) Harl. MSS. Vol. 7006.

having

having not been ſlack in moving his Majeſty, but in diſpatching your man. All is done, which your Lordſhip deſired, and I will give order, according to his Majeſty's directions, ſo that your Lordſhip ſhall not need to trouble yourſelf any farther, but only to expect the ſpeedy performance of his Majeſty's gracious pleaſure.

I will take the firſt opportunity to acquaint his Majeſty with the other buſineſs, and will ever reſt

Your Lordſhip's faithful friend and ſervant,

Theobalds, the 8th of May [1618].

G. BUCKINGHAM.

To the LORD CHANCELLOR (*).

My honourable good Lord,

WHEREAS in Mr. Hanſbye's cauſe *(d)*, which formerly, by my means, both his Majeſty and myſelf recommended to your Lordſhip's favour, your Lordſhip thought good, upon a hearing thereof, to decree ſome part for the young gentleman, and to refer to ſome Maſters of the Chancery, for your farther ſatisfaction, the examination of witneſſes to this point; which ſeemed to your Lordſhip to be the main thing your Lordſhip doubted of, whether or no the leaſes, conveyed by old Hanſbye to young Hanſbye by deed, were to be liable to the legacies, which he

(*) Harl. MSS. Vol. 7006.

(d) This ſeems to be one of the cauſes, on account of which Lord Bacon was afterwards accuſed by the Houſe of Commons; in anſwer to whoſe charge he admits, that in the cauſe of Sir Ralph Hanſbye there being two decrees, one for the inheritance, and the other for goods and chattels; ſome time after the firſt decree, and before the ſecond, there was 500l. delivered to him by Mr. Tobie Matthew; nor could his Lordſhip deny, that this was upon the matter *pendente lite*.

gave

gave by will; and that now I am credibly informed, that it will appear upon their report, and by the depoſitions of witneſſes, without all exception, that the ſaid leaſes are no way liable to thoſe legacies: theſe ſhall be earneſtly to intreat your Lordſhip, that upon conſideration of the report of the maſters, and depoſitions of the witneſſes, you will, for my ſake, ſhew as much favour and expedition to young Mr. Hanſbye in this cauſe, as the juſtneſs thereof will permit. And I ſhall receive it at your Lordſhip's hands as a particular favour.

So I take my leave of your Lordſhip, and reſt

Your Lordſhip's faithful friend and ſervant,

Greenwich, the 12th of June, 1618.

G. BUCKINGHAM.

To the LORD CHANCELLOR (*).

My honourable Lord,

UNDERSTANDING, that the cauſe depending in the Chancery between the Lady Vernon and the officers of his Majeſty's houſhold is now ready for a decree; though I doubt not, but, as his Majeſty hath been ſatisfied of the equity of the cauſe on his officers behalf, who have undergone the buſineſs, by his Majeſty's command, your Lordſhip will alſo find their cauſe worthy of your favour: yet I have thought fit once again to recommend it to your Lordſhip, deſiring you to give them a ſpeedy end of it, that both his Majeſty may be freed from farther importunity, and they from the charge and trouble of following

(*) Harl. MSS. Vol. 7006.

it:

it: which I will be ever ready to acknowledge as a favour done unto myſelf, and always reſt

Your Lordſhip's faithful friend and ſervant,

Greenwich, the 15th day of June, 1618.

G. BUCKINGHAM.

To the LORD CHANCELLOR (*).

My honourable Lord,

I WROTE unto your Lordſhip lately in the behalf of Sir Rowland Cotton, that then had a ſuit in dependance before your Lordſhip and the reſt of my Lords in the Star-Chamber. The cauſe, I underſtand, hath gone contrary to his expectation; yet he acknowledges himſelf much bound to your Lordſhip for the noble and patient hearing he did then receive; and he reſts ſatisfied, and I much beholden to your Lordſhip, for any favour it pleaſed your Lordſhip to afford him for my cauſe. It now reſts only in your Lordſhip's power for the aſſeſſing of coſts; which, becauſe, I am certainly informed, Sir Rowland Cotton had juſt cauſe of complaint, I hope your Lordſhip will not give any againſt him. And I do the rather move your Lordſhip to reſpect him in it, becauſe it concerns him in his reputation, which I know he tenders, and not the money, which might be impoſed upon him; which can be but a trifle. Thus preſuming of your Lordſhip's favour herein, which I ſhall be ready ever to account to your Lordſhip for, I reſt

Your Lordſhip's moſt devoted to ſerve you,

June 19, 1618.

G. BUCKINGHAM.

(*) Harl. MSS. Vol. 7006.

To

To the LORD CHANCELLOR (*).

My honourable Lord,

WHEREAS it hath pleaſed his Majeſty to recommend unto your conſideration a petition exhibited by Mr Fowle, together with the grievances and requeſt for the rectifying of the work of gold and ſilver thread; and now underſtandeth, that your Lordſhip hath called unto you the other commiſſioners in that caſe, and ſpent ſome time to hear what the oppoſers could object, and perceiveth by a relation of a good entrance you have made into the buſineſs; and is now informed, that there remaineth great ſtore of gold and ſilver thread in the merchants hands, brought from foreign parts, beſides that, which is brought in daily by ſtealth, and wrought here by underhand workers; ſo that the agents want vent, with which inconveniencies, it ſeemeth the ordinary courſe of law cannot ſo well meet: and yet they are inforced, for freeing of clamour, to ſet great numbers of people on work; ſo that the commodity lying dead in their hands, will in a very ſhort time grow to a very great ſum of money: To the end therefore, that the undertakers may not be diſheartened by theſe wrongs and loſſes, his Majeſty hath commanded me to write unto your Lordſhip, to the end you might beſtow more time this vacation in proſecuting the courſe you have ſo worthily begun, that all differences being reconciled, the defects of the commiſſion may be alſo amended, for prevention of farther abuſes therein; ſo as the agents may receive encouragement to

(*) Harl. MSS. Vol. 7006.

go on quietly in the work without diſturbance. And I reſt.

Your Lordſhip's faithful friend and ſervant,

From Bewly, the 20th day of Aug. 1618. G. BUCKINGHAM.

To the LORD CHANCELLOR.

Moſt honourable Lord,

HEREWITHALL I preſumed to ſend a note incloſed, both of my buſineſs in Chancery, and with my Lord Roos, which it pleaſed your Lordſhip to demand of me, that ſo you might better do me good *in utroque genere*. It may please your Lordſhip, after having peruſed it, to commend it over to the care of Mr. Meautys for better cuſtody.

At my parting laſt from your Lordſhip, the grief I had to leave your Lordſhip's preſence, though but for a little time, was ſuch, as that being accompanied with ſome ſmall corporal indiſpoſition, that I was in, made me forgetful to ſay that, which now for his Majeſty's ſervice I thought myſelf bound not to ſilence. I was credibly informed and aſſured, when the Spaniſh Ambaſſador went away, that howſoever Ralegh and the prentices (*e*) ſhould fall out to be proceeded withall, no more inſtances would be made hereafter on the part of Spain for juſtice to be done ever in theſe particulars: but that if ſlackneſs were

(*e*) who on the 12th of July, 1618, had inſulted Gondomar, the Spaniſh Ambaſſador, on account of a boy's being hurt by him as he was riding. [*Camdeni Annales Regis Jacobi I.* p. 33.] They were proceeded againſt by commiſſioners at Guildhall on Wedneſday the 12th of Auguſt following; ſeven being found guilty, and adjudged to ſix months impriſonment, and to pay 500l. a piece. Two others were acquitted. MS. letter of Mr. Chamberlain to Sir Dudley Carleton, London, Auguſt 15, 1618.

uſed

uſed here, they would be laid up in the deck, and would ſerve for materials (this was the very word) of future and final diſcontentments. Now as the humour and deſign of ſome may carry them towards troubling of the waters; ſo I know your Lordſhip's both nature and great place require an appeaſing them at your hands. And I have not preſumed to ſay this little out of any mind at all, that I may have, to meddle with matters ſo far above me, but out of a thought I had, that I was tied in duty to lay thus much under your Lordſhip's eye; becauſe I know and conſider of whom I heard that ſpeech, and with how grave circumſtances it was delivered.

I beſeech Jeſus to give continuance and increaſe to your Lordſhip's happineſs; and that, if it may ſtand with his will, myſelf may one day have the honour of caſting ſome ſmall mite into that rich treaſury. So I humbly do your Lordſhip reverence, and continue

The moſt obliged of your Lordſhip's

many faithful ſervants,

Nottingham, this 21ſt of Auguſt, 1618. TOBIE MATTHEW.

To Mr. (afterwards Sir) ISAAC WAKE, *his Majeſty's Agent at the court of Savoy.*

Mr. Wake,

I HAVE received ſome letters from you; and hearing from my Lord Cavendiſh *(f)* how well he affects you, and taking notice alſo of your good abilities and ſervices in his Majeſty's affairs, and not forgetting the knowledge I had, when young, of your

(f) William Cavendiſh, ſon and heir of William, created Baron Cavendiſh Hardwicke in Derbyſhire, in May 1605, and Earl of Devonſhire, July 12, 1618.

good father (*g*), I thought myſelf in ſome meaſure tied not to keep from you my good opinion of you, and my deſire to give you any furtherance in your fortunes and occaſions, whereof you may take knowledge and liberty to uſe me for your good. Fare you well.

Your very loving friend,

York-houſe, this 1ſt of Sept. 1618. FR. VERULAM (*h*), *Canc*

To the LORD CHANCELLOR (*i*).

My honourable Lord,

HIS Majeſty is deſirous to be ſatisfied of the fitneſs and conveniency of the gold and ſilver thread-buſineſs; as alſo of the profit, that ſhall any way accrue unto him thereby. Wherefore his pleaſure is, that you ſhall, with all convenient ſpeed, call unto you the Lord Chief Juſtice of the King's Bench (*i*), the Attorney General (*k*), and the Sollicitor (*l*); and conſider with them of every of the ſaid particulars, and return them to his Majeſty, that thereupon he may reſolve what preſent courſe to take for the advancement of the execution thereof. And ſo I reſt

Your Lordſhip's faithful ſervant,

Theobalds, the 4th of Octob. 1618. G. BUCKINGHAM.

(*g*) Arthur Wake, Rector of Billing in Northamptonſhire, Maſter of the Hoſpital of St. John in Northampton, and Canon of Chriſt-Church, Oxford.

(*h*) He had been created Lord Verulam on the 12th of July, 1618.

(*) Harl. MSS. Vol. 7006.

(*i*) Sir Henry Montagu. (*k*) Sir Henry Yelverton.

(*l*) Sir Thomas Coventry.

To

To the LORD CHANCELLOR (*).

My honourable Lord,

I HAVE been deſired by ſome friends of mine, in the behalf of Sir Francis Englefyld, to recommend his cauſe ſo far unto your Lordſhip, that a peremptory day being given by your Lordſhip's order for the perfecting of his account, and for the aſſignment of the truſt, your Lordſhip would take ſuch courſe therein, that the gentleman's eſtate may be redeemed from farther trouble, and ſecured from all danger, by engaging thoſe, to whom the truſt is now transferred by your Lordſhip's order, to the performance of that, whereunto he was tied. And ſo not doubting but your Lordſhip will do him what lawful favour you may herein, I reſt

Your Lordſhip's faithful friend and ſervant,

G. BUCKINGHAM.

Indorſed, *Received October* 14, 1618.

To the KING, *concerning the form and manner of proceeding againſt Sir* WALTER RALEGH (*m*).

May it pleaſe your moſt excellent Majeſty,

ACCORDING to your commandment given unto us, we have, upon divers meetings and conferences, conſidered what form and manner of proceeding againſt Sir Walter Ralegh might beſt ſtand with your Majeſty's juſtice and honour, if you ſhall be pleaſed, that the law ſhall paſs upon him.

(*) Harl. MSS. Vol. 7006.

(*m*) He was beheaded October 29, 1618, the day of the inauguration of the Lord Mayor of London.

And, firſt, we are of opinion, that Sir Walter Ralegh being attainted of high-treaſon (which is the higheſt and laſt work of law,) he cannot be drawn in queſtion judicially for any crime or offence ſince committed. And therefore we humbly preſent two forms of proceeding to your Majeſty: the one, that together with the warrant to the Lieutenant of the Tower (if your Majeſty ſhall ſo pleaſe) for his execution, to publiſh a narrative in print of his late crimes and offences; which, albeit your Majeſty is not bound to give an account of your actions in theſe caſes to any but only to God alone, we humbly offer to your Majeſty's conſideration, as well in reſpect of the great effluxion of time ſince his attainder, and of his employment by your Majeſty's commiſſion, as for that his late crimes and offences are not yet publicly known. The other form (whereunto, if your Majeſty ſo pleaſe, we rather incline) is, that where your Majeſty is ſo renowned for your juſtice, it may have ſuch a proceeding, as is neareſt to legal proceeding; which is, that he be called before the whole body of your Council of State, and your principal Judges, in your Council-Chamber; and that ſome of the nobility and gentlemen of quality be admitted to be preſent to hear the whole proceeding, as in like caſes hath been uſed. And after the aſſembly of all theſe, that ſome of your Majeſty's Counſellors of State, that are beſt acquainted with the caſe, ſhould openly declare, that this form of proceeding againſt Sir Walter is holden, for that he is civilly dead. After this your Majeſty's council learned to charge his acts of hoſtility, depredation, abuſe as well of your Majeſty's commiſſion, as of your ſubjects under his charge, impoſtures, attempt of eſcape, and other his miſdemeanors. But for that, which concerns the French, wherein he was rather paſſive than active, and without which the charge is compleat, we humbly refer to your Majeſty's conſideration,

tion, how far that ſhall be touched. After which charge ſo given, the examinations read, and Sir Walter heard, and ſome to be confronted againſt him, if need be, then he is to be withdrawn and ſent back; for that no ſentence is, or can be, given againſt him. And after he is gone, then the Lords of the Council and Judges to give their advice to your Majeſty, whether in reſpect of theſe ſubſequent offences, upon the whole matter, your Majeſty, if you ſo pleaſe, may not with juſtice and honour give warrant for his execution upon his attainder. And of this whole proceeding we are of opinion, that a ſolemn act of council ſhould be made, with a memorial of the whole preſence. But before this be done, that your Majeſty may be pleaſed to ſignify your gracious direction herein to your Council of State; and that your Council learned, before the calling of Sir Walter, ſhould deliver the heads of the matter, together with the principal examinations touching the ſame, wherewith Sir Walter is to be charged, unto them, that they may be perfectly informed of the true ſtate of the caſe, and give their advice accordingly. All which nevertheleſs we, in all humbleneſs, preſent and ſubmit to your princely wiſdom and judgement, and ſhall follow whatſoever it ſhall pleaſe your Majeſty to direct us herein, with all dutiful readineſs.

Your Majeſty's moſt humble,

York-houſe, this 18th of October, 1618. and faithful ſervants, &c.

To the LORD CHANCELLOR (*).

My honourable Lord,

WHEREAS there is a cauſe depending in the court of Chancery between one Mr. Francis Foliambe and Franſcis Hornſby, the which

(*) Harl. MSS. Vol. 7006.

already hath received a decree, and is now to have another hearing before yourſelf; I have thought fit to deſire you to ſhew ſo much favour therein, ſeeing it concerns the gentleman's whole eſtate, as to make a full arbitration and final end, either by taking the pains in ending it yourſelf, or preferring it to ſome other, whom your Lordſhip ſhall think fit: which I ſhall acknowledge as a courteſy from your Lordſhip; and ever reſt

Your Lordſhip's faithful friend and ſervant,

Hinchingbroke, the 22d of October, 1618.

G. BUCKINGHAM.

To the Marquis of BUCKINGHAM.

My very good Lord,

I SEND the commiſſion for making Lincoln's Inn-Fields into walks for his Majeſty's ſignature. It is without charge to his Majeſty.

We have had my Lord of Ormonde (*n*) before us. We could not yet get him to anſwer directly, whether he would obey the King's award or no. After we had endured his importunity and impertinences, and yet let him down to this, that his Majeſty's award was not only juſt and within his ſubmiſſion, but in his favour; we concluded in few words,

(*n*) Walter, Earl of Ormonde, grandfather of James the firſt Duke of Ormonde. This Earl, upon the death of Thomas, Earl of Ormonde and Oſſory, ſucceeding to thoſe honours, ſhould have inherited likewiſe the greateſt part of the eſtate: but his right was conteſted by Sir Richard Preſton Lord Dingwell, ſupported by the favour of King James I, who made an award, which Walter, Earl of Ormonde, conceiving to be unjuſt, refuſed to ſubmit to, and was, by the King's order, committed to the Fleet, where he remained eight years before the death of that King; but in 1625 recovered his liberty.

that

that the award muſt be obeyed, and if he did refuſe or impugn the execution of it in Ireland, he was to be puniſhed by the juſtice of Ireland: if he did murmur or ſcandalize it here, or trouble his Majeſty any more, he was to be puniſhed in England. Then he aſked, whether he might be gone. For that, we told him, his Majeſty's pleaſure was to be known.

Sir Robert Manſell hath promiſed to bring his ſummer account this day ſevennight. God preſerve and proſper you.

Your Lordſhip's moſt obliged friend,

and faithful ſervant,

November 12, 1618.

FR. VERULAM, *Canc.*

To the LORD CHANCELLOR (*).

My honourable Lord,

I SEND your Lordſhip the commiſſion ſigned by his Majeſty, which he was very willing to diſpatch as a buſineſs very commendable and worthy to be taken in hand.

For the Earl of Ormonde, his Majeſty made no other anſwer, but that he hopeth he is not ſo unmannerly, as to go away without taking leave of his Majeſty.

For Sir Robert Manſell's account, his Majeſty ſaith he is very ſlow, eſpecially being but a ſummary account, and that he promiſed to bring it in before: and therefore would have him tied to the day he hath now ſet, without any farther delay.

(*) Harl. MSS. Vol. 7006.

This

This laſt his Majeſty commanded me to put in after I had written and ſigned my letter.

Your Lordſhip's faithful friend and ſervant,

Royſton, the 13th of November, 1618. G. BUCKINGHAM.

To the LORD CHANCELLOR (*).

My honourable Lord,

HAVING formerly moved your Lordſhip in the buſineſs of this bearer, Mr. Wyche, of whom, as I underſtand, your Lordſhip hath had a ſpecial care to do him favour, according to the equity of his cauſe; now ſeeing, that the cauſe is ſhortly to be heard, I have thought fit to continue my recommendation of the buſineſs unto you, deſiring your Lordſhip to ſhew what favour you lawfully may unto Mr. Wyche, according as the juſtneſs of the cauſe ſhall require: which I will acknowledge as a courteſy from your Lordſhip, and ever reſt

Your Lordſhip's faithful friend and ſervant,

Newmarket, the 18th of November, 1618. G. BUCKINGHAM.

To the LORD CHANCELLOR (*).

My honourable Lord,

I SEND your Lordſhip the bill of the Sheriff of Hereford and Leiceſter, pricked and ſigned by his Majeſty, who hath likewiſe commanded me to ſend unto your Lordſhip theſe additions of inſtructions, ſent unto him by the Surveyor and Receiver of the Court of Wards; wherein, becauſe he knoweth not

(*) Harl. MSS. Vol. 7006.

what to preſcribe without underſtanding what objections can be made, his pleaſure is, that your Lordſhip adviſe and conſider of them, and ſend him your opinion of them, that he may then take ſuch courſe therein, as ſhall be fit.

His Majeſty commanded me to give you thanks for your care of his ſervice; and ſo I reſt

Your Lordſhip's faithful ſervant,

Newmarket, 22d of November. G. BUCKINGHAM.

Indorſed, 1618.

To the Marquis of BUCKINGHAM.

My very good Lord,

WE have put the *Declaration* (*o*) touching Ralegh to the preſs with his Majeſty's additions, which were very material, and fit to proceed from his Majeſty.

For the priſoners, we have taken an account, given a charge, and put ſome particulars in examination for puniſhment and example.

For the purſuivants, we ſtaid a good while for Sir Edward Coke's health; but he being not yet come abroad, we have entered into it; and we find faults, and mean to ſelect caſes for example: but in this ſwarm of prieſts and recuſants we are careful not to diſcourage in general. But the puniſhment of ſome, that are notoriouſly corrupt, concerned not the good, and will keep in awe thoſe, that are but indifferent.

(*o*) *Declaration of the Demeanor and Carriage of Sir* Walter Ralegh, *Knight, as well in his Voyage, as in and ſince his return*, &c. printed at London, 1618, in 4to.

The

The balance of the King's eſtate is in hand, whereof I have great care, but no great help.

The ſub-committees for the ſeveral branches of treaſure are well choſen and charged.

This matter of the King's eſtate for means is like a quarry, which digs and works hard; but then, when I conſider it buildeth, I think no pains too much; and after term it ſhall be my chief care.

For the Mint, by my next I will give account; for our day is Wedneſday.

God ever preſerve and proſper you.

Your Lordſhip's

November 22, 1618.

FR. VERULAM, *Canc.*

Indorſed, *Of council-buſineſs.*

To the LORD CHANCELLOR (*).

My honourable Lord,

I HAVING underſtood by Dr. Steward, that your Lordſhip hath made a decree againſt him in the Chancery, which he thinks very hard for him to perform; although I know it is unuſual to your Lordſhip to make any alterations, when things are ſo far paſt: yet in regard I owe him a good turn, which I know not now how to perform but this way, I deſire your Lordſhip, if there be any place left for mitigation, your Lordſhip would ſhew him what favour you may, for my ſake, in his deſires, which I ſhall be ready to acknowledge as a great courteſy done unto myſelf; and will ever reſt

Your Lordſhip's faithful friend and ſervant,

Newmarket, the 2d of Decemb. 1618.

G. BUCKINGHAM.

(*) Harl. MSS. Vol. 7006.

To

To the LORD CHANCELLOR (*).

My honourable Lord,

I HAVE written a letter unto your Lordſhip, which will be delivered unto you in behalf of Dr. Steward; and beſides, have thought fit to uſe all freedom with you in that, as in other things; and therefore have thought fit to tell you, that he being a man of very good reputation, and a ſtout man, that will not yield to any thing, wherein he conceiveth any hard courſe againſt him, I ſhould be ſorry he ſhould make any complaint againſt you. And therefore, if you can adviſe of any courſe, how you may be eaſed of that burden, and freed from his complaint, without ſhew of any fear of him, or any thing he can ſay, I will be ready to join with you for the accompliſhment thereof: And ſo deſiring you to excuſe the long ſtay of your man, I reſt

Your Lordſhip's faithful friend and ſervant,

From Newmarket, 3d of December, 1618. G. BUCKINGHAM.

To the Marquis of BUCKINGHAM.

My very good Lord,

YESTERNIGHT we diſpatched the Lord Ridgeway's account. Good ſervice is done. Seven or eight thouſand pounds are coming to the King, and a good precedent ſet for accounts.

There came to the ſeal about a fortnight ſince a ſtrange book paſſed by Mr. Attorney to one Mr. Hall; and it is to make ſubjects (for ſo is deniza-

(*) Harl. MSS. Vol. 7006.

tion,) and this to go to a private uſe, till ſome thouſand pounds be made of it. The number one hundred denizens. And whereas all books of that nature had an exception of merchants (which importeth the King not much in his cuſtoms only, for that is provided for in the book, but many other ways) this takes in merchants and all. I acquainted the commiſſioners with it, and by one conſent it is ſtayed. But let me counſel his Majeſty to grant forth a commiſſion of this nature, ſo to raiſe money for himſelf, being a flower of the crown: and Hall may be rewarded out of it; and it would be to principal perſons, that it may be carried with election and diſcretion, whom to admit to denization, and whom not.

God ever bleſs and proſper you.

Your Lordſhip's moſt faithful,

and obliged friend and ſervant,

December 8, 1618.

FR. VERULAM, *Canc.*

To the LORD CHANCELLOR (*).

My honourable Lord,

I THANK your Lordſhip for the favour, which, I underſtand, Sir Francis Englefyld hath received from your Lordſhip upon my laſt letter, whereunto I deſire your Lordſhip to add this one favour more (which is the ſame, that I underſtand your Lordſhip granted him at Chriſtmaſs laſt) to give him liberty, for the ſpace of a fortnight, to follow his buſineſs in his own perſon; whereby he may bring it to the more ſpeedy end, putting in ſecurity, according to the ordinary courſe, to render himſelf priſoner again,

(*) Harl. MSS. Vol. 7006.

as

as ſoon as that time is expired: which is all that I deſire for him, and in which I will acknowledge your Lordſhip's favour towards him; and ever reſt

Your Lordſhip's faithful friend and ſervant,

Newmarket, the 10th of Decemb. 1618. G. BUCKINGHAM.

To the Marquis of BUCKINGHAM.

My very good Lord,

I SEND you herewith the copy of a letter, which we, the commiſſioners for Ormonde's cauſe, have written to the Deputy of Ireland, according to his Majeſty's pleaſure ſignified by Sir Francis Blundell; which I humbly deſire his Majeſty would peruſe, that, if it do not attain his meaning, as we conveyed it, we may ſecond it with a new letter.

We have appointed Monday morning for theſe Mint buſineſſes, referred by his Majeſty to certain commiſſioners, and we will carry it *ſine ſtrepitu*.

The patent touching Guinea and Bynny for the trade of gold, ſtaid firſt by myſelf, and after by his Majeſty's commandment, we have now ſettled by conſent of all parties.

Mr. Attorney, by my direction, hath made, upon his information exhibited into the Star-Chamber, a thundering motion againſt the tranſportation of gold by the Dutch; which all the town is glad of; and I have granted divers writs of *ne exeat regnum*, according to his Majeſty's warrant.

Sir Edward Coke keeps in ſtill, and we have miſs of him; but I ſupply it as I may by my farther diligence. God ever bleſs you and keep you.

Your Lordſhip's moſt faithful and bounden friend and ſervant,

December 11, 1618. FR. VERULAM, *Canc.*

I forget

I forget not your Doctor's (p) matter. I ſhall ſpeak with him to-day, having received your Lordſhip's letter; and what is poſſible, ſhall be done. I pray pardon my ſcribbling in haſte.

To the LORD CHANCELLOR (*).

My honourable Lord,

I HAVE acquainted his Majeſty with your letters, who is very well pleaſed with your care of his ſervice, in making ſtay of the grant of denizens upon the reaſon you alledge, whereof his Majeſty will ſpeak farther with you at his return.

The letter, which you ſent me about my Lord of Ormonde's ſon, is not according to his Majeſty's meaning; but I would have you frame another to my Lord Deputy to this purpoſe: "That his Majeſty "having ſeen a letter of his to Sir Francis Blundell, "advertiſing, that the Earl of Ormonde's ſon, and "ſome other of his kindred, did victual and fortify "their houſes; his Majeſty hath thereupon com- "manded you to write unto him, that if the ground "of his information be true (which he may beſt "know,) that then he ſend for the ſaid Earl's "ſon, and the principal of his kindred, to appear "before him: and if they appear, and give him "ſatisfaction, it is well; but if they refuſe to ap- "pear, or give him not ſatisfaction, though they "appear; that then he aſſemble what forces he can, "be they never ſo few, and go againſt them, that "he may cruſh the rebellion in the egg."

I have remembered his Majeſty, as I promiſed your Lordſhip, about the naming you for a commiſſioner to treat with the Hollanders: But beſides that you have ſo many buſineſſes, both of the Star-

(p) Steward's. See above, p. 188.
(*) Harl. MSS. Vol. 7006.

Chamber,

Chamber, and others in the term-time, when this muſt be attended as well as in the vacation, whereby this would be either too great a toil to you, or a hindrance to his Majeſty's ſervice; he thinketh it could not ſtand with the honour of your place to be balanced with thoſe, that are ſent from the ſtate, ſo far unequal to his Majeſty, and being themſelves none of the greateſt of the ſtate. Therefore his Majeſty holdeth it not fit or worthy of you to put you into ſuch an employment, in which none of your predeceſſors, or any of the chief Counſellors, have been ever uſed in this kind, but only in a treaty of marriage or concluſion of a peace; as when the Conſtable of Caſtile was here, when the commiſſioners on both ſides had their authority under the great ſeal of either kingdom, with direct relation to their Sovereigns, far differing from this commiſſion, which is now given to theſe men, and whereunto his Majeſty is to frame the courſe of his. As for the part, which concerneth Scotland, the choice hath not been made of the Chancellor or Archbiſhop of St. Andrew's, but of men nearer the rank of thoſe, that come hither to treat. As yet his Majeſty delayeth to give any commiſſion at all, becauſe he would firſt be informed from the Lords, both of the points and form of their commiſſion, which his Majeſty hitherto underſtandeth to be, with authority to over-rule and direct their merchants in what they ſhall think fit; which if it be ſo, then his Majeſty holdeth it fit, for his part, to appoint the whole body of the council with like power over his merchants. As for me, I ſhall be ever ready upon any occaſion to ſhew myſelf

Your Lordſhip's faithful friend and ſervant,

Newmarket, the 14th of December, 1618. G. BUCKINGHAM.

To the Lady CLIFFORD.

My good Lady and couſin,

I SHALL not be wanting in any thing, that may expreſs my good affection and wiſhes towards your Ladyſhip, being ſo near unto me, and the daughter of a father, to whom I was in the paſſages of my fortune much obliged. So with my loving commendations, in the midſt of buſineſs, I reſt

Your affectionate kinſman and aſſured friend,

York-houſe, this 25th of January, 1618. FR. VERULAM, *Canc.*

To the LORD CHANCELLOR (*).

My honourable Lord,

LEST my often writing may make your Lordſhip conceive, that this letter hath been drawn from you by importunity, I have thought fit, for preventing of any ſuch conceit, to let your Lordſhip know, that Sir John Wentworth, whoſe buſineſs I now recommend, is a gentleman, whom I eſteem in more than an ordinary degree. And therefore I deſire your Lordſhip to ſhew him what favour you can for my ſake in his ſuit, which his Majeſty hath referred to your Lordſhip: which I will acknowledge as a courteſy unto me, and reſt

Your Lordſhip's faithful friend and ſervant,

Newmarket, January 26, 1618. G. BUCKINGHAM.

(*) Harl. MSS. Vol. 7006.

To

To the LORD CHANCELLOR (*).

My honourable Lord,

I BEING deſired by a ſpecial friend of mine to recommend unto your Lordſhip's favour the caſe of this petitioner, have thought fit to deſire you, for my ſake, to ſhew him all the favour you may in this his deſire, as you ſhall find it in reaſon to deſerve; which I ſhall take as a courteſy from your Lordſhip, and ever reſt

Your Lordſhip's faithful friend and ſervant,

G. BUCKINGHAM.

I thank your Lordſhip for your favour to Sir John Wentworth, in the diſpatch of his buſineſs.

Newmarket, March 15, 1618.

To the LORD CHANCELLOR.

Moſt honourable Lord,

IT may pleaſe your Lordſhip, there was with me this day one Mr. Richard White, who hath ſpent ſome little time at Florence, and is now gone into England. He tells me, that Galileo had anſwered your diſcourſe concerning the flux and reflux of the ſea, and was ſending it unto me; but that Mr. White hindered him, becauſe his anſwer was grounded upon a falſe ſuppoſition, namely, that there was in the ocean a full ſea but once in twenty-four hours. But now I will call upon Galileo again. This Mr. White is a

(*) Harl. MSS. Vol. 7006.

diſcreet and underſtanding gentleman, though he ſeem a little ſoft, if not ſlow; and he hath in his hands all the works, as I take it, of Galileo, ſome printed, and ſome unprinted. He hath his diſcourſe of the flux and reflux of the ſea, which was never printed; as alſo a diſcourſe of the mixture of metals. Thoſe, which are printed, in his hand are theſe: the *Nuncius ſidereus*; the *Macchie ſolari*, and a third *Delle Coſe, che ſtanno ſu l'acqua*, by occaſion of a diſputation, that was amongſt learned men in Florence about that, which Archimedes wrote, *de inſidentibus humido.*

I have conceived, that your Lordſhip would not be ſorry to ſee theſe diſcourſes of that man; and therefore I have thought it belonging to my ſervice to your Lordſhip to give him a letter of this date, though it will not be there ſo ſoon as this. The gentleman hath no pretence or buſineſs before your Lordſhip, but is willing to do your Lordſhip all humble ſervice; and therefore, both for this reaſon, as alſo upon my humble requeſt, I beſeech your Lordſhip to beſtow a countenance of grace upon him. I am beholden to this gentleman; and, if your Lordſhip ſhall vouchſafe to aſk him of me, I ſhall receive honour by it. And I moſt humbly do your Lordſhip reverence.

Your Lordſhip's moſt obliged ſervant,

Bruſſels, from my bed, the 14th of April, 1619.

TOBIE MATTHEW.

To the LORD CHANCELLOR (*).

My honourable Lord,

HIS Majeſty hath commanded me to ſignify unto your Lordſhip, that it is his pleaſure you put off the hearing of the cauſe between Sir Arthur

(*) Harl. MSS. Vol. 7006.

Manwaring

Manwaring and Gabriel Dennis till toward the end of the term; becauſe his Majeſty is graciouſly pleaſed to be at the hearing thereof himſelf. And ſo I reſt

Your Lordſhip's faithful friend and ſervant,

Royſton, April 13, 1619. G. BUCKINGHAM.

To the LORD CHANCELLOR, *and Sir* LIONEL TANFIELD, *Lord Chief Baron of the Exchequer* (*).

My Lords,

HIS Majeſty having been moved by the Duke of Savoy's Ambaſſador in the behalf of Philip Bernardi, whom he is to ſend about ſome ſpecial employment over the ſeas to the Duke of Savoy, that, before his going, the buſineſs mentioned in this petition may be ended, hath commanded me to recommend the ſame unto your Lordſhips care, that with all expedition the cauſe may be heard and ended by your Lordſhips, according to his Majeſty's reference; or left to the determination of the Court of Chancery, where it is depending, and where the party aſſureth himſelf of a ſpeedy end. And ſo I reſt

Your Lordſhips very aſſured friend at command,

Royſton, the 19th of April, 1619. G. BUCKINGHAM.

(*) Harl. MSS. Vol. 7006.

To the Marquis of BUCKINGHAM.

My very good Lord,

I THINK fit to let your Lordſhip underſtand what paſſed yeſterday in the Star-Chamber touching Suffolk's *(p)* buſineſs.

There came to me the Clerk of the Court in the inner chamber, and told me, that my Lord of Suffolk deſired to be heard by his council at the * ſitting of the court, becauſe it was pen* * * him.

I marvelled I heard not of it by Mr. Attorney, who ſhould have let me know as much, that I might not be taken on the ſudden in a cauſe of that weight.

I called preſently Mr. Attorney to me, and aſked him, whether he knew of the motion, and what it was, and how he was provided to anſwer it. He ſignified to me, that my Lord would deſire to have the commiſſion for examinations in Ireland to be returnable in Michaelmaſs term. I ſaid, it might not be, and preſently drew the council, then preſent, to me, and made Mr. Attorney repeat to them the paſſages paſt, and ſettled it, that the commiſſion ſhould be returnable the firſt day of the next term, and then republication granted, that it might, if accidents of wind and weather permit, come to hearing in the term. And upon motion in open court it was ordered accordingly.

(p) Thomas Howard, Earl of Suffolk, who had been made Lord Treaſurer in 1614. He was accuſed of ſeveral miſdemeanors in that office, together with his Lady, and Sir John Bingley, his Ladyſhip's agent; and an information preferred againſt them all in the Star-Chamber.

God

God ever preſerve and proſper you. I pray God this great eaſterly wind agree well with his Majeſty.

Your Lordſhip's moſt obliged friend,

and faithful ſervant,

May 6, 1619.

FR. VERULAM, *Canc.*

Indorſed, *Sent by Sir Gilbert Houghton.*

To the Marquis of BUCKINGHAM.

My very good Lord,

I AM much bounden to his Majeſty, and likewiſe to your Lordſhip. I ſee, by the late acceſſes I have had with his Majeſty, and now by his royal and real favour (*q*), that he loveth me, and acknowledgeth me for the ſervant, that I am, or deſire to be. This in me muſt turn to a great alacrity to honour and ſerve him with a mind leſs troubled and divided. And for your Lordſhip, my affection may and doth daily receive addition, but cannot, nor never could, receive alteration. I pray preſent my humble thanks to his Majeſty; and I am very glad his health confirmeth; and I hope to ſee him this ſummer at Gorhambury: There is ſweet air as any is. God preſerve and proſper you both. I ever reſt

Your Lordſhip's moſt obliged friend,

and faithful ſervant,

May 9, 1619.

FR. VERULAM, *Canc.*

(*q*) probably the grant made to him about this time of 1200 l. a year.

Minute of a Letter to the Count PALATINE *of the Rhine.*

Monſeigneur,

JE me tiens a grand honneur, qu'il plaiſe à voſtre Alteſſe de me cognoiſtre pour tel, que je ſuis, ou pour le moins voudrois éſtre, envers vous et voſtre ſervice: et m'eſtimeray heureux, ſi par mes Conſeils aupres du Roy, ou autre devoir, je pourroy contribuer à voſtre grandeur, dont il ſemble que Dieu vous a baſti de belles occaſions, ayant en contemplation voſtre tres-illuſtre perſonne, non ſeulement comme tres-cher allié de mon maiſtre, mais auſſi, comme le meilleur appui, apres les Roys de Grande Bretagne, de la plus ſaine partie de la Chreſtieneté.

Je ne puis auſſi paſſer ſous ſilence la grande raiſon, que voſtre Alteſſe fait a voſtre propre honneur en choiſiſſant tels Conſeilleurs et Miniſtres d'Eſtat, comme ſe monſtre tres-bien eſtre Monſieur le Baron de Dhona et Monſieur de Pleſſen, eſtants perſonages ſi graves, diſcretes et habiles; en quoy voſtre jugement reluict aſſez.

Voſtre Alteſſe de voſtre grace excuſera la faulte de mon language François, ayant éſté tant verſé es vielles Loix de Normandie: mais le coeur ſupplera la plume, en priant Dieu de vous tenir en ſa digne et ſaincte garde,

Monſeigneur,

De voſtre Alteſſe le plus humble

et plus affectionné ſerviteur.

Indorſed, *May* 13, 1619.

To

To the LORD CHANCELLOR (*).

My honourable Lord,

HIS Majeſty was pleaſed, at the ſuit of ſome, who have near relation to me, to grant a licenſe for tranſportation of butter out of Wales unto one Lewis and Williams, who in conſideration, that the patent ſhould be paſſed in their names, entered into articles for the performance of certain conditions agreed upon between them, which, now that the patent is under the great ſeal, they utterly refuſe to perform. My deſire therefore to your Lordſhip is, that you would call the ſaid Lewis and Williams before you, with the other parties, or ſome of them, who ſhall be ready at all times to attend your Lordſhip; and out of your conſideration of the matter, according to equity, to take ſuch courſe therein, that either the ſaid agreement may be performed; or that they, which refuſe it, may receive no benefit of the patent; which upon reaſon thereof was paſſed in their names. And herein I deſire your Lordſhip to make what expedition you can; becauſe now is the ſeaſon to make proviſion of the butter, that for this year is to be tranſported, whereof they take advantage to ſtand out. And ſo I reſt

Your Lordſhip's faithful friend and ſervant,

Greenwich, May 14, 1619. G. BUCKINGHAM.

(*) Harl. MSS. Vol. 7006.

To

To the Marquis of BUCKINGHAM.

My very good Lord,

THOUGH it be nothing, and all is but duty; yet I pray ſhew his Majeſty the paper incloſed, that his Majeſty may ſee, how careful his poor ſervant is upon every emergent occaſion to do him what honour he can. The motion made in court by the King's ſerjeant, Crew (*q*), that the declaration might be made parcell of the record, and that I hear otherwiſe of the great ſatisfaction abroad, encourageth me to let his Majeſty know what paſſed.

God ever preſerve and proſper you both.

Your Lordſhip's obliged friend,

and faithful ſervant,

FR. VERULAM, *Canc.*

Indorſed, *June* 29, 1619,

My Lord to my Lord Marquis, incloſing the form of a declaration uſed in point of acknowledgment in the Lady Exeter's (r) cauſe.

To the Marquis of BUCKINGHAM.

My very good Lord,

I PURPOSED to have ſeen you to day, and receive your commandments before the progreſs. But I came not to London till it was late, and found

(*q*) Sir Randolph Crew, made Chief Juſtice of the King's Bench, January 26, 1624.

(*r*) Counteſs of Exeter, accuſed of inceſt and other crimes by the Lady Lake, wife of Secretary Lake, and their daughter the Lady Roos.

you were gone before I came. Nevertheleſs, I would not fail to let your Lordſhip underſtand, that as I find every day more and more occaſions, whereby you bind me to you; ſo this morning the King of himſelf did tell me ſome teſtimony, that your Lordſhip gave of me to his Majeſty even now, when you went from him, of ſo great affection and commendation (for I muſt aſcribe your commendation to affection, being above my merit) as I muſt do contrary to that, that painters do; for they deſire to make the picture to the life, and I muſt endeavour to make the life to the picture, it hath pleaſed you to make ſo honourable a deſcription of me. I can be but your's, and deſire to better myſelf, that I may be of more worth to ſuch an owner.

I hope to give the King a good account of my time this vacation.

If your Lordſhip paſs back by London, I deſire to wait on you, and diſcourſe a little with you: if not, my prayers ſhall go progreſs with you, and my letters attend you, as occaſion ſerveth.

God ever preſerve and proſper you.

Your Lordſhip's moſt obliged friend,
and faithful ſervant,

July 19, 1619.

FR. VERULAM, *Canc.*

To the Marquis of BUCKINGHAM.

My very good Lord,

THIS day, according to the firſt appointment, I thought to have waited upon his Majeſty, and to have given him an account of my cares and preparations for his ſervice, which is my progreſs. And therefore, ſince his coming to Windſor is prolonged,

longed, I thought to keep day by letter, praying your Lordſhip to commend my moſt humble ſervice to his Majeſty, and to let him know, that ſince I ſee his Majeſty doth me the honour, as to rely upon my care and ſervice, I loſe no time in that, which may pertain thereunto. I ſee the ſtraits, and I ſee the way out; and what lieth in one man, whom he hath made great, and trained, ſhall not be wanting: And I hope, if God give me life for a year or two, to give his Majeſty cauſe to think of me ſeven years after I am dead.

I am glad the time approacheth, when I ſhall have the happineſs to kiſs his Majeſty's hands, and to embrace your Lordſhip, ever reſting

Your Lordſhip's moſt obliged friend,

and faithful ſervant,

York-houſe, Aug. 28, 1619.

FR. VERULAM, *Canc.*

To the LORD CHANCELLOR (*).

My honourable Lord,

HIS Majeſty, upon a petition delivered by Mr. Thomas Digby, wherein he complaineth of great wrongs done unto him, hath been pleaſed, for his more ſpeedy relief and redreſs, if it prove as he alledgeth, to refer the conſideration thereof unto your Lordſhip. And becauſe he is a gentleman, whom I have long known and loved, I could not but add my deſire to your Lordſhip, that, if you find he hath been wronged, you would do him ſo much

(*) Harl. MSS. Vol. 7006.

favour,

favour, as to give him ſuch remedy, as the equity of his caſe may require. For which I will ever reſt

Your Lordſhip's faithful friend and ſervant,

Royſton, Octob. 8, 1619. G. BUCKINGHAM.

To the LORD CHANCELLOR (*).

My honourable Lord,

I HAVE acquainted his Majeſty with your letter, who hath given order to Mr. Secretary Calvert to ſignify his pleaſure for the proceeding in that buſineſs, whereof you write, without any farther delay, as your Lordſhip will more fully underſtand by Mr. Secretary, who for that purpoſe is to return to London againſt the day of hearing.

I have no anſwer to make to your former letter, and will add no more to this, but that his Majeſty hath a great confidence in your care of his ſervice. And ſo I reſt

Your Lordſhip's faithful friend and ſervant,

Royſton, Octob. 10, 1619. G. BUCKINGHAM.

Indorſed,

Shewing his Majeſty's acceptation of your Lordſhip's care, in particular in the buſineſs againſt the Earl of Suffolk.

(*) Harl. MSS. Vol. 7006.

To the Marquis of BUCKINGHAM.

My very good Lord,

AFTER my laſt letter yeſterday, we entered into conference, touching the Suffolk cauſe, myſelf, and the commiſſioners, and the two Chief Juſtices (*s*). The fruit of this conference is, that we all conceive the proceedings againſt my Lord himſelf to be, not only juſt and honourable, but in ſome principal parts plauſible in regard of the public; as namely, thoſe three points, which touch upon the ordnance, the army of Ireland, and the money of the cautionary towns; and the two Chief Juſtices are firm in it.

I did alſo in this cauſe, by the aſſent of my Lords, remove a part; for Mr. Attorney had laid it upon Serjeant Davies (*t*) to open the information, which is that, which gives much life or coldneſs to the cauſe. But I will have none but trained men in this cauſe; and I cannot forget, that the allotting of the opening of the information in this cauſe of the Dutch (I mean the main cauſe) to a mean fellow, one Hughes, did hurt, and was never well recovered.

By my next I will write of the King's eſtate; and I ever reſt

Your Lordſhip's moſt obliged friend,

and faithful ſervant,

October 14, 1619.

FR. VERULAM, *Canc.*

(*s*) Sir Henry Montagu of the King's Bench, and Sir Henry Hobart of the Common Pleas.

(*t*) Sir John Davies, author of *Noſce teipſum*, knighted in February, 160$\frac{7}{8}$, and made Serjeant at Law in 1612. He had been Attorney General of Ireland.

To

To the Marquis of BUCKINGHAM.

My very good Lord,

THIS morning the Duke (*u*) came to me, and told me the King's cauſe was yeſterday left fair; and if ever there were a time for my Lord of Suffolk's ſubmiſſion, it was now; and that, if my Lord of Suffolk ſhould come into the court, and openly acknowledge his delinquency, he thought it was a thing conſiderable. My anſwer was, I would not meddle in it; and, if I did, it muſt be to diſſuade any ſuch courſe; for that all would be but a play upon the ſtage, if juſtice went not on in the right courſe. This I thought it my duty to let the King know by your Lordſhip.

I cannot expreſs the care I have had of this cauſe in a number of circumſtances and diſcretions, which, though they may ſeem but ſmall matters, yet they do the buſineſs, and guide it right.

God ever keep your Lordſhip.

Your Lordſhip's moſt obliged friend,

and faithful ſervant,

October 21, 1619.

FR. VERULAM, *Canc.*

To the Marquis of BUCKINGHAM.

My very good Lord,

I AM doubly bounden to the King for his Majeſty's truſt and acceptation; whereof the one I will never deceive; the other, though I cannot deſerve, yet

(*u*) Lodowick, Duke of Lennox. He was created Duke of Richmond, May 17, 1623; and died February 11, 1623.

I will

I will do my beſt, and perhaps as much as another man.

This day the evidence went well; for the Sollicitor (*w*) did his part ſubſtantially: and, a little to warm the buſineſs, when the miſemployment of treaſure, which had relation to the army of Ireland, was handled, I ſpake a word, that he, that did draw or milk treaſure from Ireland, did not *emulgere*, milk money, but blood. But this is but one of the little things, that I wrote of before.

The King, under pardon, muſt come hither with two reſolutions; the one, to remit all importunity, touching this cauſe, to the Lords in Court of Juſtice; the other, to purſue the deſigns firſt taken at Windſor, and then at Hampton-Court, for his commiſſion of treaſury: wherein I do my part, and it is reaſonably well; but better would it be, if inſtruments were not impediments. I ever reſt

Your Lordſhip's moſt obliged friend,

and faithful ſervant,

October 27, Wedneſday.

FR. VERULAM, *Canc.*

Friday will not end the buſineſs; for to-morrow will but go through with the King's evidence.

To the LORD CHANCELLOR (*).

My honourable Lord,

THIS bearer, a Frenchman belonging to the Ambaſſador, having put an Engliſhman in ſuit for ſome matters between them, is much hindered

(*w*) Sir Thomas Coventry, afterwards Lord Keeper of the Great Seal.

(*) Harl. MSS. Vol. 7006.

and

and moleſted by often removing of the cauſe from one court to another. Your Lordſhip knows, that the French are not acquainted with our manner of proceedings in the law, and muſt therefore be ignorant of the remedy in ſuch a caſe. His courſe was to his Majeſty; but I thought it more proper, that your Lordſhip would be pleaſed to hear and underſtand this caſe from himſelf, and then to adviſe and take order for his relief, as your Lordſhip in your wiſdom ſhall think fit. So commending him to your honourable favour, I reſt

Your Lordſhip's faithful friend and ſervant,

Royſton, 27th of October, 1619. G. BUCKINGHAM.

Your Lordſhip ſhall do well to be informed of every particular, becauſe his Majeſty will have account of it at his coming.

To the LORD CHANCELLOR (*).

My honourable Lord,

I HAVE acquainted his Majeſty with your letter, who commanded me to give your Lordſhip thanks for your ſpeed in advertiſing thoſe things, that paſs, and for the great care he ſeeth you ever have of his ſervice.

I ſend your Lordſhip back the bill of Sheriffs for Suſſex, wherein his Majeſty hath pricked the firſt, as your Lordſhip wiſhed.

His Majeſty would not have you omit this opportunity of ſo groſs an over-ſight in the Judges, to admoniſh them of their negligence in ſuffering ſuch a thing to come to his Majeſty, which needed his

(*) Harl. MSS. Vol. 7006.

amending afterward: and withall, to let them know, that his Majeſty obſerveth, that every year they grow more and more careleſs of preſenting fit men unto him for that place; and that you adviſe them to be more wary hereafter, that they may give his Majeſty better ſatisfaction. And ſo I reſt

Your Lordſhip's faithful friend and ſervant,

Royſton, November 14, 1619. G. BUCKINGHAM.

To the Marquis of BUCKINGHAM.

My very good Lord,

THIS day afternoon, upon our meeting in council, we have planed thoſe rubs and knots, which were mentioned in my laſt, whereof I thought good preſently to advertiſe his Majeſty. The days hold without all queſtion, and all delays diverted and quieted.

Sir Edward Coke was at Friday's hearing, but in his night-cap; and complained to me, he was ambulant, and not current. I would be ſorry he ſhould fail us in this cauſe. Therefore I deſire his Majeſty to ſignify to him by your Lordſhip (taking knowledge of ſome light indiſpoſition of his) how much he ſhould think his ſervice diſadvantaged in this cauſe, if he ſhould be at any day away; for then he cannot ſentence.

By my next I will give his Majeſty ſome account of the tobacco and the currants. I ever reſt

Your Lordſhip's moſt obliged friend, and faithful ſervant,

November 20, at evening, 1619. FR. VERULAM, *Canc.*

To

To the Marquis of BUCKINGHAM.

My very good Lord,

I KNOW well his Majeſty taketh to heart this buſineſs of the Dutch (*x*), as he hath great reaſon, in reſpect both of honour and profit. And becauſe my firſt letter was written in the epitaſis, or trouble of the buſineſs; and my ſecond in the beginning of the cataſtrophe, or calming thereof, (wherein nevertheleſs I was fain to bear up ſtrongly into the weather, before the calm followed) and ſince every day hath been better and better, I thought good to ſignify ſo much, that his Majeſty may be leſs in ſuſpence.

The great labour was to get entrance into the buſineſs; but now the portcullis is drawn up. And though, I muſt ſay, there were ſome blots in the tables, yet, by well playing, the game is good.

Rowland is paſſing well juſtified; for both his credit is by very conſtant and weighty teſtimony proved, and thoſe vaſt quantities, which were thought incredible, or at leaſt improbable, are now made manifeſt truth.

Yet I find a little of the old leven towards the firſt defendants, carried in this ſtyle and character: "I "would this, that appears now, had appeared at "firſt. But this cometh of haſte and precipitation;" and the like. But yet, I hope, the corruption and practice upon the *ore tenus*, and the rectifying of Rowland's credit, will ſatisfy my Lords upon the former proofs. For I would be very ſorry, that theſe new defendants (which, except one or two, are the ſmaller flies) ſhould be in the net, and the old

(*x*) Merchants, accuſed in the Star-Chamber for exporting the gold and ſilver coin.

defendants, which are the greater flies, ſhould get through. God preſerve you.

Your Lordſhip's moſt obliged friend,

and faithful ſervant,

This November 26, 1619. FR. VERULAM, *Canc.*

Indorſed, *Touching the Dutch buſineſs.*

To the LORD CHANCELLOR (*).

My honourable Lord,

I DO, from time to time, acquaint his Majeſty with your letters, wherein he ever perceiveth your vigilant care in any thing, that concerneth his ſervice; and hath commanded me to give you thanks in his name, who is ſure your endeavours will never be wanting, when any thing is to be done for the advancement of his affairs.

According to your Lordſhip's advice, his Majeſty hath written to the Commiſſioners of the Treaſury, both touching the currants and the tobacco (*y*), the plantation whereof his Majeſty is fully reſolved to reſtrain; and hath given them order forthwith to ſet out a proclamation to that effect; not intending in that point to ſtand upon any doubt of law, nor to expect the Judges interpretation; nor to allow any

(*) Harl. MSS. Vol. 7006.

(*y*) Lord Bacon, in his letter of November 22, 1619, mentions, that there was offered 2000 l. increaſe yearly for the tobacco, to begin at Michaelmaſs, as it now is, and 3000 l. increaſe, if the plantations here within land be reſtrained.

freehold

freehold in that caſe; but holding this the ſafeſt rule, *Salus reipublicæ ſuprema lex eſto.* And ſo I reſt

Your Lordſhip's faithful friend and ſervant,

Newmarket, Nov. 27, 1619. G. BUCKINGHAM.

To the LORD CHANCELLOR (*).

My honourable Lord,

I HAVE preſented both the ſubmiſſions to his Majeſty. His anſwer is, he cannot alter that, which was allowed of by the Lords of the laſt Star-Chamber-day, except firſt they be acquainted with it, and the conſent of the Lady Exeter be likewiſe had, becauſe the decree doth neceſſarily require it. So I reſt

Your Lordſhip's humble ſervant,

G. BUCKINGHAM.

Indorſed,

Touching the ſubmiſſions of Sir Thomas Lake and his Lady.

To the Marquis of BUCKINGHAM.

My very good Lord,

I ACQUAINTED this day the bearer with his Majeſty's pleaſure touching Lake's (z) ſubmiſſion; which, whether it ſhould be done in perſon, or in writing, his Majeſty ſignified his will thus; that it ſhould be ſpared in open court, if my Lady of Exeter ſhould conſent, and the board think fit. The

(*) Harl. MSS. Vol. 7006. (z) Sir Thomas Lake's.

board liked it well, and appointed my Lord Digby and Secretary Calvert to ſpeak with my Lady, who returned her anſwer in ſubſtance, that ſhe would, in this and all things, be commanded by his Majeſty: but if his Majeſty left it to her liberty and election, ſhe humbly prayed to be excuſed. And though it was told her, that this anſwer would be cauſe, that it could not be performed this term; yet ſhe ſeemed willing rather it ſhould be delayed, than diſpenſed with.

This day alſo Traſke (*a*), in open court, made a retractation of his wicked opinions in writing. The form was as good as may be. I declared to him, that this court was the judgement-ſeat; the mercy-ſeat was his Majeſty: but the court would commend him to his Majeſty: and I humbly pray his Majeſty to ſignify his pleaſure ſpeedily, becauſe of the miſery of the man; and it is a rare thing for a ſectary, that

(*a*) John Traſke, a Miniſter, who was proſecuted in the Star-Chamber for maintaining, as we find mentioned in the *Reports* of the Lord Chief Juſtice Hobart, p. 236, that the Jewiſh Sabbath ought to be obſerved, and not ours; and that we ought to abſtain from all manner of ſwine's fleſh, and thoſe meats, which the Jews were forbidden in Leviticus, according to Biſhop Andrews, in his ſpeech in the Star-Chamber on that occaſion, printed among his Lordſhip's works. Mr. Traſke being examined in that court, confeſſed, that he had divulged thoſe opinions, and had laboured to bring as many to them as he could; and had alſo written a letter to the King, wherein he ſeemed to tax his Majeſty with hypocriſy, and expreſsly inveighed againſt the Biſhops High Commiſſioners, as bloody and cruel in their proceedings againſt him, and a papal clergy. He was ſentenced to fine and impriſonment, not for holding thoſe opinions (for thoſe were examinable in the Eccleſiaſtical Court, and not there,) but for making of conventicles and commotions, and for ſcandalizing the King, the biſhops, and clergy. Dr. Fuller, in his *Church Hiſtory of Britain*, Book X. p. 77. § 64. mentions his having heard Mr. Traſke preach, and remarks, that his *voice had more ſtrength than any thing elſe be delivered*; and that after his recantation he relapſed, not into the ſame, but other opinions, *rather humorous than hurtful*, and died obſcurely at Lambeth in the reign of King Charles I.

hath

hath once ſuffered ſmart and ſhame, to turn ſo unfeignedly, as he ſeemed to do.

God ever bleſs and keep you.

Your moſt obliged friend, and faithful ſervant,

December 1, 1619. FR. VERULAM, *Canc.*

To the Marquis of BUCKINGHAM.

My very good Lord,

ON Friday I left London, to hide myſelf at Kew; for two months and a half together to be ſtrong-bent is too much for my bow. And yet, that the King may perceive, that in my times of leiſure I am not idle, I took down with me Sir Giles Mompeſſon (*b*), and with him I have quietly conferred of that propoſition, which was given me in charge by his Majeſty, and after ſeconded by your Lordſhip. Wherein I find ſome things I like very well, and ſome other, that I would ſet by. And one thing is much to my liking, that the propoſition for bringing in his Majeſty's revenue with ſmall charge is no invention, but was on foot heretofore in King Philip's and Queen Mary's time, and had a grave and mighty opinion for it. The reſt I leave to his relation, and mine own attendance.

I hope his Majeſty will look to it, that the fines now to come in may do him moſt good. Both cauſes produce fines of one hundred and fourſcore thouſand pounds, whereof one hundred thouſand

(*b*) who in the parliament, which began January 30, 162$\frac{0}{1}$, was ſentenced to be degraded, and rendered incapable of bearing any office, for practiſing ſeveral abuſes, in ſetting up new inns and ale-houſes, and exacting great ſums of money of the people, by pretence of letters patents granted him for that purpoſe. But he fled into foreign parts, finding himſelf abandoned by the Marquis of Buckingham, on whom he had depended for protection.

may clear the anticipations; and then the aſſignations may paſs under the great ſeal, to be inrollable; ſo as we ſhall need to think of nothing but the arrears in a manner, of which I wiſh the 20,000 l. to the ſtrangers (with the intereſt) be preſently ſatisfied. The remain may ſerve for the King's preſent and urgent occaſions. And if the King intend any gifts, let them ſtay for the ſecond courſe (for all is not yet done,) but nothing out of theſe, except the King ſhould give me the 20,000 l. I owe Peter Vanbore out of his fine, which is the chief debt I owe. But this I ſpeak merrily. I ever reſt

Your Lordſhip's moſt obliged friend,
and faithful ſervant,

Kew, Decemb. 12, 1619.

FR. VERULAM, *Canc.*

After I had written this letter, I received from your Lordſhip, by my ſervant, his Majeſty's acceptation of my poor ſervices; for which I pray your Lordſhip to preſent to his Majeſty my moſt humble thanks. I have now other things in my mind for his Majeſty's ſervice, that no time be loſt.

To the LORD CHANCELLOR (*).

My honourable Lord,

HIS Majeſty hath been pleaſed, out of his gracious care of Sir Robert Killigrew, to refer a ſuit of his, for certain concealed lands, to your Lordſhip and the reſt of the Commiſſioners for the Treaſury; the like whereof hath been heretofore granted to many others. My deſire to your Lordſhip is, that he be-

(*) Harl. MSS. Vol 7006.

ing a gentleman, whom I love and wiſh very well unto, your Lordſhip would ſhew him, for my ſake, all the favour you can, in furthering his ſuit. Wherein your Lordſhip ſhall do me a courteſy, for which I will ever reſt

Your Lordſhip's faithful friend and ſervant,

Royſton, December 15, 1615. G. BUCKINGHAM.

To the LORD CHANCELLOR (*).

My honourable Lord,

I HAVE acquainted his Majeſty with your letter, who for that buſineſs, whereof Mr. Chancellor of the Exchequer brought the meſſage to his Majeſty to Theobalds, returned the anſwer by him.

As for that, whereof Sir Giles Mompeſſon ſpake to your Lordſhip, his Majeſty liketh very well, and ſo do all others, with whom his Majeſty hath ſpoken of it; and therefore he recommendeth it to your care, not doubting but your Lordſhip will give all your furtherance to it, being your own work, and ſo much concerning his Majeſty's honour and profit; and will ſpeak farther with your Lordſhip of it at his return to London.

For thoſe other buſineſſes of the Star-Chamber, which his Majeſty hath recommended to your Lordſhip, he hopeth you will keep the clock ſtill going, his profit being ſo much intereſted therein, eſpecially ſeeing Mr. Chancellor of the Exchequer (*c*) hath promiſed his Majeſty, that he will be no more ſick, whereby you ſhall have this comfort, that the burden will not lie upon your Lordſhip alone.

(*) Harl. MSS. Vol. 7006.

(*c*) Sir Fulke Greville, who ſurrendered that office in September, 1621, being ſucceeded in it by Sir Richard Weſton. He had been created Lord Brooke of Beauchamp's Court, Jan. 9, 162⅞.

The

The little leiſure I had at Theobalds made me bring your man down hither for this anſwer, which I hope your Lordſhip will excuſe; and ever hold me for

Your Lordſhip's faithful friend and ſervant,

Royſton, 19th of Jan. G. BUCKINGHAM.

Indorſed, 1619.

To the Marquis of BUCKINGHAM.

My very good Lord,

IN the midſt of buſineſs, as in the midſt of a way, one ſhould not ſtay long, eſpecially when I crave no direction, but only advertiſe.

This day we met about the commiſſion, the commonwealth's commiſſion, for the poor and vagabonds, &c. We have put it into an exceeding good way, and have appointed meetings once in fourteen days, becauſe it ſhall not be a-ſlack. I was glad to hear from the two Chief Juſtices, that whatſoever appears in the country to come from *primum mobile* (that is, the King's care) works better, than if it came from the law. Therefore we have ordered, that this commiſſion ſhall be publiſhed in the ſeveral circuits in the charges of the Judges. For the reſt hereafter.

For the propoſition of Sir Giles Mompeſſon, we have met once. Exchequer-men will be Exchequer-men ſtill; but we ſhall do good.

For the account, or rather imparting, of the Commiſſioners of Treaſury to the council, I think it will but end in a compliment. But the real care (and I hope good purpoſe) I will not give over, the better, becauſe I am not alone.

For

For the Star-Chamber buſineſs, I ſhall, as you write, keep the clock on going, which is hard to do, when ſometimes the wheels are too many, and ſometimes too few. But we ſhall do well, eſpecially if thoſe, whom the King hath hitherto made bond-men (I mean, which have given bonds for their fines) he do not hereafter make free-men.

For Suffolk's buſineſs, it is a little ſtrange, that the Attorney made it a queſtion to the Commiſſioners of Treaſury, whether Suffolk ſhould not be admitted to the leaſe of the extent of his own land, which is the way to encourage him not to pay his fine. But when it was told him, that the contrary courſe was held with the Earl of Northumberland, and that thereby he was brought to agree for his fine; then he turned, as his manner is.

For the errors, we have yet ſo much uſe of the ſervice of Sir Henry Britten in bringing in the fines (indeed more than of the Attorney) as we cannot, without prejudice to his Majeſty's ſervice, enter yet into them; and beſides, Sir Edward Coke comes not abroad.

Mr. Kirkham hath communicated with me, as matter of profit to his Majeſty, upon the coals referred by his Majeſty to us of the Treaſury; wherein I hope we ſhall do good, the rather, becauſe I am not alone.

The proclamation for light gold Mr. Secretary Calvert, I know, hath ſent to his Majeſty; and therefore of that I ſay no more.

For the raiſing of ſilver by ordinance, and not by proclamation, and that for the time to come, we have given order to finiſh it. I hear a whiſpering, that thereupon the Commiſſioners of the Navy, the Officers of the Houſhold, the Wardrobe, may take occaſion to break the book and the undertakings, becauſe the prices may riſe, which I thought good to ſignify to his Majeſty. And, to ſpeak plainly, I fear

fear more the pretence, than the natural effect. God ever more preſerve your Lordſhip. I reſt

Your Lordſhip's moſt obliged friend,
and faithful ſervant,

January 20, 1619.

FR. VERULAM, *Canc.*

To the LORD CHANCELLOR (*).

My honourable Lord,

I HAVE acquainted his Majeſty with your letter, who is very well pleaſed therewith, finding in you a continual care of his ſervice. In that point of the Star-Chamber buſineſs, his Majeſty ſaith, there is a miſtaking; for he meant not the Dutchmen's buſineſs, but that motion, which your Lordſhip made unto him, of ſitting in the Star-Chamber about the commiſſions, which you had not leiſure to read till he came down to Royſton, and hath reaſon to give you thanks for it, deſiring you to prepare it, and ſtudy the point (of which he will ſpeak more with you at his return to London,) being a matter worthy your thinking on, and his Majeſty's practice.

For the laſt point of your letter, his Majeſty ſaith, it cannot but proceed of malice, that there ſhould be any ſuch plot, which he will not endure, but he will account thoſe, that whiſper of it in that ſort, enemies of his ſervice; and will put them out of their places, that practiſe it. And ſo I reſt

Your Lordſhip's faithful friend and ſervant,

Newmarket, January 22, 1619.

G. BUCKINGHAM.

(*) Harl. MSS. Vol. 7006.

To

To Mr. Secretary CALVERT.

Mr. Secretary,

I HAVE received your letter of the 3d of this preſent, ſignifying his Majeſty's pleaſure touching Peacock's *(d)* examinations, of which I will have ſpecial care.

My Lord Coke is come to town, and hath ſent me word, he will be with me on Monday, though he be ſomewhat lame. Howſoever, the ſervice ſhall be done.

I was made acquainted, by your letter to Secretary Naunton, with his Majeſty's diſlike of the ſending to him of the jolly letter from Zealand. I will now ſpeak for myſelf, that, when it was received, I turned to the Maſter of the Wards *(e)*, and ſaid, "Well, I think "you and I ſhall ever adviſe the King to do more "for a Burlamachi, when he ſeeketh to his Majeſty "by ſupplication and ſupplying the King at the firſt "word, than for all the reſt upon any bravados from "the Burgomaſters of Holland and Zealand:" Who anſwered very honeſtly, that it was in the King's power to make them alter their ſtyle when he would. But when another of us ſaid, we could not but in our own diſcharge ſend the King the letter, *ſcilicet negandum non fuit*; though indeed my way is otherwiſe.

I have at laſt recovered from theſe companions, Harriſon and Dale, a copy of my Lord of Ban-

(d) He was a Miniſter of the univerſity of Cambridge. He was committed to the Tower, for pretending, that he had, by ſorcery, infatuated the King's judgement in the cauſe of Sir Thomas Lake. *Camd. Annal. Regis Jacobi I.* p. 54.

(e) Sir Lionel Cranfield.

gor's

gor's (f) book, the great one, and will presently set in hand the examinations. God keep you.

Your assured friend,

February 5, 1619.

FR. VERULAM, *Canc.*

To the KING.

May it please your Majesty,

SIR Edward Coke is now a-foot, and, according to your command, signified by Mr. Secretary Calvert, we proceed in Peacock's examinations. For although there have been very good diligence used, yet certainly we are not at the bottom; and he, that would not use the utmost of his line to sound such a business as this, should not have due regard, neither to your Majesty's honour, nor safety.

A man would think he were in Luke Hutton's case again; for as my Lady Roos personated Luke Hutton, so, it seemeth, Peacock personateth Atkins. But I make no judgement yet, but will go on with all diligence; and, if it may not be done otherwise, it is fit Peacock be put to torture. He deserveth it as well as Peacham did.

I beseech your Majesty not to think I am more bitter, because my name is in it; for, besides that I always make my particular a cypher, when there

(f) Dr. Lewis Bayly, born at Caermarthen in Wales, and educated in Exeter-College, Oxford. He had been Minister of Evesham in Worcestershire, and Chaplain to Prince Henry, and Rector of St. Matthew's, Friday-Street, in London. He was promoted to the Bishopric of Bangor in 1616. On the 15th of July, 1621, he was committed to the Fleet, but on what account is not related by Camden, *Annales Regis Jacobi I.* p. 72. who mentions the Circumstance of the Bishop's imprisonment; but that he was soon after set at liberty. He was the author of the well-known book, *the Practice of Piety.*

is

is queſtion of your Majeſty's honour and ſervice, I think myſelf honoured, for being brought into ſo good company. And as, without flattery, I think your Majeſty the beſt of Kings, and my noble Lord of Buckingham the beſt of perſons favoured; ſo I hope, without preſumption, for my honeſt and true intentions to ſtate and juſtice, and my love to my maſter, I am not the worſt of Chancellors.

God ever preſerve your Majeſty.

Your Majeſty's moſt obliged,
and moſt obedient ſervant,

10th of February, 1619.

FR. VERULAM, *Canc.*

To the LORD CHANCELLOR.

Moſt honoured Lord,

I PRESUME, now after term (if there be any ſuch thing as an after-term with your Lordſhip,) to offer this incloſed paper (*g*) to your ſight, concerning the Duke of Lerma; which, if your Lordſhip have not already read, will not, I think, be altogether unpleaſing, becauſe it is full of particular circumſtances. I know not how commonly it paſſeth up and down more or leſs. My friend, Mr. Gage, ſent it me lately out of Spain. But howſoever, I build upon a ſure ground; for though it ſhould be vulgar, yet for my deſire to ſerve your Lordſhip, I cannot demerit ſo much, as not to deſerve a pardon at your Lordſhip's moſt noble hand.

(*g*) I have, out of a ragged hand in Spaniſh tranſlated it, and accompanied it with ſome marginal notes for your Lordſhip's greater eaſe. Note of Mr. Matthew.

Before

Before the departure of the Duke of Lerma from that court, there was written upon the gate for a paſquinade, that the houſe was governed *por el Padre, y el Hijo, y un Santo*; as in Paris about the ſame time was written upon the Louvre-Gate, *C'eſt icy l'hoſtel des troys Roys*; for Luynes's brother is almoſt as great as himſelf. But the while there is good ſtore of Kings now in Chriſtendom, though there be one fewer than there was.

In Spain, there are very extraordinary preparations for a great armada. Here is lately in this court a current ſpeech, as that the enterprize (whatſoever it ſhould have been) is laid wholly aſide: but that were ſtrange. Yet this is certain, that the forces of men, to the number of almoſt two thouſand, which were to have gone into Spain from hence, are diſcharged, together with ſome munition, which was alſo upon the point of being ſent. Another thing is alſo certain, that both in the court of Spain and this, there is at this time a ſtrange ſtraitneſs of money; which I do not conceive, for my part, to proceed ſo much from want, as deſign to employ it. The rendezvous, where the forces were to meet, was at Malaga, within the Straits; which makes the enterpriſe upon Algiers moſt likely to be intended. For I take that to be a wild conceit, which thinks of going by the Adriatic *per far in un Viaggio duoi ſervitii*; as the giving a blow to Venice, and the landing of forces in aid of the King of Bohemia about Trieſte.

Perhaps the King of Spain would be glad to let the world ſee, that now he is *hors de paye*; and by ſhewing himſelf in ſome action, to intitle the Duke of Lerma to all his former ſloth; or perhaps he now makes a great preparation, upon the pretence of ſome enterprize, that he will let fall, that ſo he may with the leſs noiſe aſſemble great forces ſome other year, for ſome other attempt not ſpoken of now.

My

My Lord Compton (*b*) is in this court, and goes ſhortly towards Italy. His faſhion is ſweet, and his diſpoſition noble, and his converſation fair and honeſt.

Diego, my Lord Roos's man, is come hither. I pray God it be to do me any good towards the recovery of the debt his Lord owes me.

Moſt honoured Lord, I am here at good leiſure to look back upon your Lordſhip's great and noble goodneſs towards me, which may go for a great example in this age; and ſo it doth. That, which I am ſure of, is, that my poor heart, ſuch as it is, doth not only beat, but even boil in the deſires it hath to do your Lordſhip all humble ſervice.

I crave leave, though it be againſt good manners, that I may ever preſent my humbleſt ſervice to my moſt honoured Lady, my Lady Verulam, and Lady Conſtable, with my beſt reſpects to my dear friend, Sir John Conſtable; who, if your Lordſhip want the leiſure, would perhaps caſt an eye upon the incloſed paper.

I do, with more confidence, preſume to addreſs this other letter to Mr. Meautys, becauſe the contents thereof concern your Lordſhip's ſervice.

I beſeech ſweet Jeſus to make and keep your Lordſhip intirely happy. So I humbly do you reverence, remaining ever

Your Lordſhip's moſt obliged ſervant,

TOBIE MATTHEW.

(*b*) Spencer, Lord Compton, only ſon of William, Earl of Northampton. This nobleman, who ſucceeded his father in his title and eſtate, in June, 1630, was killed at Hopton-Heath, near Stafford, on Sunday, March 19, 164⅔, fighting for King Charles I.

POST. I ſhould be glad to receive ſome of your Lordſhip's philoſophical labours, if your Lordſhip could ſo think fit. I do now receive a letter from the Conde de Gondomar, who, thinking that it ſhould find me in England, ſaith thus: *Beſo las manes mil vezes a mi ſennor, el ſennor Gran Chancilor, con my coracon; como eſtoy en ſu buena gracia.* The Empreſs is dead long ſince, and the Emperor is ſo ſickly, or rather ſo ſick, that they forbear to bury her with ſolemnity, as conceiving, that he will ſave charge by dying ſhortly. They ſay here, that the buſineſs of Bohemia is growing towards an end by compoſition.

Bruſſels, this 14th of
February, 1619.

To the Marquis of BUCKINGHAM.

My very good Lord,

FOR the ſervices committed to Sir Lionel Cranfield, after his Majeſty hath ſpoken with him, I ſhall attend and follow his Majeſty's pleaſure and directions, and yield my beſt care, advice, and endeavour for performance.

In the pretermitted duty I have ſome profit, and more was to have had, if Queen Anne had lived. Wherefore I ſhall become an humble ſuitor to his Majeſty, that I may become no loſer, ſpecially ſeeing the buſineſs had been many a time and oft quite overthrown, if it had not been upheld only, or chiefly, by myſelf; ſo that whatſoever ſervice hath been ſince done, is upon my foundation.

Mr. Attorney (*i*) groweth pretty pert with me of late; and I ſee well who they are, that maintain him. But be they flies, or be they waſps, I neither care for buzzies nor ſtings, moſt eſpecially in any thing, that

(*i*) Sir Henry Yelverton.

concerneth

concerneth my duty to his Majeſty, or my love to your Lordſhip.

I forgot not, in my public charge, the laſt Star-Chamber-day, to publiſh his Majeſty's honour for his late commiſſion for the relief of the poor, and ſuppreſſing vagabonds; as alſo his gracious intention touching informers, which, I perceive, was received with much applauſe. That of projectors I ſpake not of, becauſe it is not yet ripe, neither doth it concern the execution of any law, for which my ſpeech was proper.

God ever preſerve and proſper you.

Your Lordſhip's moſt obliged friend,

and faithful ſervant,

February 17, 1619.

FR. VERULAM, *Canc.*

To the Marquis of BUCKINGHAM.

My very good Lord,

I SEND, by poſt, this ſealed packet, containing my Lord of Suffolk's anſwer in the Star-Chamber. I received it this evening at ſix of the clock, by the hands of the Maſter of the Rolls (*k*), ſealed as it is with my Lord of Suffolk's ſeal, and the Maſter's of the Rolls. But neither I, nor the Maſter of the Rolls, know what is in it; but it cometh firſt to his Majeſty's ſight. Only I did direct, that becauſe the authentic copy (unto which my Lord is ſworn, according to the courſe of the court) is not ſo fit for his Majeſty's reading, my Lord of Suffolk ſhould ſend withall a paper copy, which his Majeſty might read with leſs trouble.

(*k*) Sir Julius Cæſar.

My Lady Suffolk is ſo ill of the ſmall-pox, as ſhe is not yet fit to make any anſwer.

Bingley's *(l)* anſwer is come in, a long one; and, as I perceive, with ſome things impertinent, yea, and unfit. Of that I confer with Mr. Sollicitor *(m)* to-morrow; and then, I will farther advertiſe your Lordſhip

God ever preſerve and proſper you.

Your Lordſhip's moſt obliged friend,

and faithful ſervant,

York-houſe, this 23d of Febr. 1619, at 9 of the clock [16½].

FR. VERULAM, *Canc.*

To the LORD CHANCELLOR.

Moſt honoured Lord,

I DO even now receive this letter from the Conde de Gondomar, with direction I ſhould ſend it (ſince I am not there to deliver it) to Mr. Wyche, that ſo he may preſent it to your Lordſhip's hand at ſuch time, as it may be of moſt uſe to him. He commands me beſides, that for his ſake I ſhould become a humble ſollicitor to your Lordſhip for this friend of his; which I preſume to do the more willingly, becauſe this party is a great friend of mine, and ſo are alſo many of his friends my friends. Beſides, he wills me to repreſent his great thanks to your Lordſhip, for the juſt favours you have been pleaſed to vouchſafe to Mr. Wyche already, the rather, in contemplation of the Conde, as he hath been informed. And if in the company, or rather in the attendance, of ſo great an interceſſor, it be not an un-

(l) Sir John Bingley's. *(m)* Sir Thomas Coventry.

pardonable

pardonable kind of ill manners to intrude myſelf, I preſume to caſt myſelf at your Lordſhip's feet, with proteſtation, that I ſhall be very particularly bound to your Lordſhip's goodneſs for any favour, with juſtice, that he ſhall obtain.

I beſeech Jeſus keep your Lordſhip ever intirely happy; and ſo doing all humble reverence, I take leave.

Your Lordſhip's moſt humble,
and moſt obliged ſervant,

Bruſſels, this 26th of February, 1619. TOBIE MATTHEW.

To the LORD CHANCELLOR (*).

My honourable Lord,

UNDERSTANDING, that there hath been a long and tedious ſuit depending in the Chancery between Robert D'Oyley and his wife, plaintiffs, and Leonard Lovace, defendant; which cauſe hath been heretofore ended by award, but is now revived again, and was, in Michaelmaſs term laſt, fully heard before your Lordſhip; at which hearing your Lordſhip did not give your opinion thereof, but were pleaſed to defer it, untill breviats were delivered on both ſides; which, as I am informed, hath been done accordingly: now my deſire unto your Lordſhip is, that you will be pleaſed to take ſome time, as ſpeedily as your Lordſhip may, to give your opinion thereof, and ſo make a final end, as your Lordſhip ſhall find the ſame in equity to deſerve. For which I will ever reſt

Your Lordſhip's faithful friend and ſervant,

Windſor, 18th of May, 1620. G. BUCKINGHAM.

(*) Harl. MSS. Vol. 7006.

To the Marquis of BUCKINGHAM.

My very good Lord,

I WENT to Kew for pleaſure, but I met with pain. But neither pleaſure, nor pain, can withdraw my mind, from thinking of his Majeſty's ſervice. And becauſe his Majeſty ſhall ſee how I was occupied at Kew, I ſend him theſe papers of rules for the Star-Chamber, wherein his Majeſty ſhall erect one of the nobleſt and durableſt pillars for the juſtice of this kingdom in perpetuity, that can be, after, by his own wiſdom, and the advice of his Lords, he ſhall have reviſed them, and eſtabliſhed them. The manner and circumſtances I refer to my attending his Majeſty. The rules are not all ſet down; but I will do the reſt within two or three days. I ever remain

Your Lordſhip's moſt obliged friend,
and faithful ſervant,

June 9, 1620.

FR. VERULAM, *Canc.*

To the LORD CHANCELLOR (*).

My very good Lord,

SUCH is my haſte at this time, that I cannot write ſo largely to yourſelf, as I would, in the buſineſs of the ſteel, in which once already I ſent to your Lordſhip, and in which I only deſire the good of the commonwealth, and the ſervice of my maſter. I therefore have ſent this bearer, my ſervant, unto you, and committed the relation of the buſineſs to

(*) Harl. MSS. Vol. 7000.

him.

him. And I do intreat your Lordſhip to give credit to what he ſhall deliver your Lordſhip therein, with your lawful aſſiſtance of my deſires; wherein I doubt not but you ſhall do a very good office. And I ſhall reſt ready to requite your courteſy; and, with my beſt wiſhes, continue

Your very loving friend,

Egham, July 6, 1620. G. BUCKINGHAM.

Indorſed,

My Lord Marquis in the behalf of his ſervant, Mr. Porter, and Mr. Vallington.

To the LORD CHANCELLOR (*).

My honourable Lord,

HIS Majeſty having made a reference of buſineſs to your Lordſhip, concerning Sir Robert Douglas and Mr. David Ramſey, two of his Highneſs's ſervants, whom he loveth, and whom I wiſh very well unto; I have thought fit to deſire you to ſhew them all the favour your Lordſhip may therein: which I will acknowledge, and ever reſt

Your Lordſhip's faithful friend and ſervant,

G. BUCKINGHAM.

The reference comes in the name of my brother Chriſtopher, becauſe they thought it would ſucceed the better: but the Prince wiſheth well to it.

Farnham, the laſt of Auguſt, 1620.

Indorſed, *Touching the buſineſs of wills.*

(*) Harl. MSS. Vol. 7000.

To the KING (*n*).

AMONGST the counſels, which, ſince the time I had the honour to be firſt of your learned, and after of your privy council, I have given your Majeſty faithfully, according to my ſmall ability; I do take comfort in none more, than that I was the firſt, that adviſed you to come in perſon into the Star-Chamber; knowing very well, that thoſe virtues of your Majeſty, which I ſaw near hand, would out of that throne, both as out of a ſphere, illuſtrate your own honour, and, as out of a fountain, water and refreſh your whole land. And becauſe your Majeſty, in that you have already done, hath ſo well effected that, which I foreſaw and deſired, even beyond my expectation; it is no marvel, if I reſort ſtill to the branches of that counſel, that hath borne ſo good fruit.

The Star-Chamber, in the inſtitution thereof, hath two uſes; the one as a ſupreme court of judicature; the other as an open council. In the firſt kind, your Majeſty hath ſat there now twice: the firſt time, in a cauſe of force, concerning the duels; the ſecond time, in a cauſe of fraud, concerning the forgeries and conſpiracies againſt the Lady of Exeter; which two natures of crimes, force and fraud, are the proper objects of that court.

In the ſecond kind, your Majeſty came the firſt time of all, when you did ſet in frame and fabric the ſeveral juriſdictions of your courts. There wants a fourth part of the ſquare to make all complete, which is, if your Majeſty will be pleaſed to publiſh

(*n*) This letter appears to have been written after the proceedings againſt Sir Thomas Lake, and his Lady and daughter, in the Star-Chamber, in January 16$\frac{1}{2}$, and before the reſolution of calling the parliament, which met January 30, 162$\frac{9}{1}$.

certain

certain commonwealth commiſſions; which, as your Majeſty hath well begun to do in ſome things, and to ſpeak of in ſome others; ſo, if your Majeſty will be pleaſed to make a ſolemn declaration of them in that place, this will follow:

Firſt, that your Majeſty ſhall do yourſelf an infinite honour, and win the hearts of your people to acknowledge you, as well the moſt politic King, as the moſt juſt.

Secondly, it will oblige your Commiſſioners to a more ſtrict account, when they ſhall be engaged by ſuch a public charge and commandment. And, thirdly, it will invite and direct any man, that finds himſelf to know any thing concerning thoſe commiſſions, to bring in their informations. So as I am perſuaded it will eterniſe your name and merit, and that King James's commiſſions will be ſpoken of, and put in ure, as long as Britain laſts; at the leaſt, in the reign of all good Kings.

For the particulars, beſides the two commiſſions of the navy, and the buildings about London (wherein your Majeſty may conſider, whether you will have any thing altered or ſupplied,) I wiſh theſe following to be added.

Commiſſion for advancing the clothing of England, as well the old drapery as the new, and all the incidents thereunto.

Commiſſion for ſtaying treaſure within the realm, and the reiglement of monies.

Commiſſion for the proviſion of the realm with corn and grain, and the government of the exportation and importation thereof; and directing of public granaries, if cauſe be.

Commiſſion for introducing and nouriſhing manufactures within the realm, for the ſetting people a-work, and the conſidering of all grants and privileges of that nature.

Commiſſion

Commiſſion to prevent the depopulation of towns and houſes of huſbandry, and for nuiſances and high-ways.

Commiſſion for the recovery of drowned lands.

Commiſſion for the ſuppreſſion of the grievances of informers.

Commiſſion for the better proceedings in the plantations of Ireland.

Commiſſion for the proviſion of the realm with all kind of warlike defence, ordnance, powder, munition, and armour.

Of theſe you may take and leave, as it ſhall pleaſe you: and I wiſh the articles concerning every one of them (firſt allowed by your council) to be read openly, and the Commiſſioners names.

For the good, that comes of particular and ſelect committees and commiſſions, I need not commonplace, for your Majeſty hath found the good of them; but nothing to that, that will be, when ſuch things are publiſhed; becauſe it will vindicate them from neglect, and make many good ſpirits, that we little think of, co-operate in them.

I know very well, that the world, that commonly is apt to think, that the care of the commonwealth is but a pretext in matters of ſtate, will perhaps conceive, that this is but a preparative to a parliament. But let not that hinder your Majeſty's magnanimity, *in opere operato*, that is ſo good; and beſides, that opinion, for many reſpects, will do no hurt to your affairs.

To the LORD CHANCELLOR (*).

My very good Lord,

BY his Majeſty's directions, Sir Francis Blundell will deliver you a petition of Sir Francis Aneſly, his Majeſty's Secretary of Ireland, with his

(*) Harl. MSS. Vol. 7000.

Majeſty's pleaſure thereupon. To the gentleman I wiſh very well, and do therefore recommend him and his cauſe to your Lordſhip's good favour; and your reſpect of him, in his abſence, I will thankfully acknowledge. So I take my leave.

Your Lordſhip's very loving friend,

Theobalds, the 2d of Octob. 1620. G. BUCKINGHAM.

To the KING.

It may pleaſe your moſt excellent Majeſty,

IT being a thing to ſpeak or write, ſpecially to a King, in public, another in private, although I have dedicated a work (*o*), or rather a portion of a work, which, at laſt, I have overcome, to your Majeſty by a public epiſtle, where I ſpeak to you in the hearing of others; yet I thought fit alſo humbly to ſeek acceſs for the ſame, not ſo much to your perſon, as to your judgement, by theſe private lines.

The work, in what colours ſoever it may be ſet forth, is no more but a new logic, teaching to invent and judge by induction, as finding ſyllogiſm incompetent for ſciences of nature; and thereby to make philoſophy and ſciences both more true and more active.

This tending to inlarge the bounds of reaſon, and to endow man's eſtate with new value, was no improper oblation to your Majeſty, who, of men, is the greateſt maſter of reaſon, and author of beneficence.

There be two of your council, and one other biſhop (*p*) of this land, that know I have been about

(*o*) *Novum Organum.*
(*p*) Dr. Lancelot Andrews, Biſhop of Wincheſter,

ſome

ſome ſuch work near thirty years (*q*); ſo as I made no haſte. And the reaſon, why I have publiſhed it now, ſpecially being unperfect, is, to ſpeak plainly, becauſe I number my days, and would have it ſaved. There is another reaſon of my ſo doing, which is to try, whether I can get help in one intended part of this work, namely, the compiling of a natural and experimental hiſtory, which muſt be the main foundation of a true and active philoſophy.

This work is but a new body of clay, whereinto your Majeſty, by your countenance and protection, may breathe life. And, to tell your Majeſty truly what I think, I account your favour may be to this work as much as an hundred years time: for I am perſuaded, the work will gain upon men's minds in ages, but your gracing it may make it take hold more ſwiftly; which I would be very glad of, it being a work meant, not for praiſe or glory, but for practice, and the good of men. One thing, I confeſs, I am ambitious of, with hope, which is, that after theſe beginnings, and the wheel once ſet on going, men ſhall ſeek more truth out of Chriſtian pens, than hitherto they have done out of heathen. I ſay with hope; becauſe I hear my former book of the *Advancement of Learning*, is well taſted in the univerſities here, and the Engliſh colleges abroad: and this is the ſame argument ſunk deeper.

(*q*) Mr. Chamberlain, in a letter to Sir Dudley Carleton, Ambaſſador at Holland, dated at London, October 28, 1620, mentions, that Mr. Henry Cuffe, who had been Secretary to Robert, Earl of Eſſex, and executed for being concerned in his treaſons, *having long ſince peruſed* this work, *gave this cenſure, that a fool could not have written ſuch a work, and a wiſe man would not.* And, in another letter, dated February 3, 162⅞, Mr. Chamberlain takes notice, that the King could not forbear ſometimes, in reading that book, to ſay, that it *was like the peace of God, that paſſeth all underſtanding.*

And

And ſo I ever humbly reſt in prayers, and all other duties,

Your Majeſty's moſt bounden
and devoted ſervant,

York-houſe, this 12th of October, 1620. FR. VERULAM, *Canc.*

To the LORD CHANCELLOR (*).

My honourable Lord,

THERE is a buſineſs in your Lordſhip's hands, with which Sir Robert Lloyd did acquaint your Lordſhip; whereof the Prince hath demanded of me what account is given. And becauſe I cannot inform his Highneſs of any proceeding therein, I deſire your Lordſhip to uſe all expedition, that may be, in making your anſwer to me, that I may give his Highneſs ſome ſatisfaction, who is very deſirous thereof. And ſo I reſt

Your Lordſhip's faithful friend and ſervant,

Royſton, 14th of October, 1620. G. BUCKINGHAM.

Indorſed, *Touching the regiſter of wills.*

To the LORD CHANCELLOR (*).

My honourable Lord,

I DESIRE your Lordſhip to continue your favour to Sir Thomas Gerrard, in the buſineſs concerning him, wherein I ſignified his Majeſty's pleaſure to your Lordſhip. And one favour more I am to intreat of your Lordſhip in his behalf, that you will be pleaſed to ſpeak to one of the aſſiſtants of the

(*) Harl. MSS. Vol. 7000.

Chancellor

Chancellor of the Duchy, in whoſe court he hath a cauſe depending, as he will more fully inform your Lordſhip himſelf, to ſee, that he may have a fair proceeding, according to juſtice: for which I will ever reſt

Your Lordſhip's faithful friend and ſervant,

Royſton, 15th of October, 1620. G. BUCKINGHAM.

To the Marquis of BUCKINGHAM.

My very good Lord,

YOUR Lordſhip deſiring to underſtand what cometh of the buſineſs, after which the Prince hearkeneth, I was in doubt which of the two buſineſſes you meant; that of the Duchy, or that of the Prerogative-Court for wills; for both are recommended from the Prince. But be it one, or be it the other, no time hath been loſt in either; for Mr. Secretary Naunton and I have entered into both. For the Duchy, we have already ſtayed all proceeding to the King's diſſervice for thoſe manors, which are not already paſſed under ſeal. For that, which is paſſed, we have heard the Attorney (*r*) with none, or little, ſatisfaction hitherto. The Chancellor (*s*) is not yet come, though ſent for. For the other, we have heard Sir John Bennet (*t*), and given him leave to acquaint my Lord of Canterbury; and have required the Sollicitor (*u*) to come well prepared for the King. So that in neither we can certify yet; and to trouble

(*r*) Sir Henry Yelverton.

(*s*) Sir Humphrey May, made Chancellor of the Duchy, March 9, 161⅞.

(*t*) Judge of the Prerogative-Court of Canterbury. In 1621 he was fined 20000 l. for bribery, corruption, and exaction in that office. He died in 1627. (*u*) Sir Thomas Coventry.

your

your Lordſhip, while buſineſs is but in paſſage, were time loſt. I ever reſt

Your Lordſhip's moſt obliged friend,

and faithful ſervant,

October 16, 1620.

FR. VERULAM, *Canc.*

To the KING, *thanking his Majeſty for his gracious acceptance of his book.*

May it pleaſe your Majeſty,

I CANNOT expreſs, how much comfort I received by your laſt letter of your own royal hand (*w*). I ſee your Majeſty is a ſtar, that hath benevolent aſpect and gracious influence upon all things, that tend to a general good.

Daphni, quid antiquos ſignorum ſuſpicis artus?
Ecce Dionæi proceſſit Cæſaris aſtrum;
Aſtrum, quo ſegetes gauderent frugibus, et quo
Duceret apricis in collibus uva colorem (x).

This work, which is for the bettering of men's bread and wine, which are the characters of temporal bleſſings and ſacraments of eternal, I hope, by God's holy providence, will be ripened by Cæſar's ſtar.

Your Majeſty ſhall not only do to myſelf a ſingular favour, but to your buſineſs a material help, if you will be graciouſly pleaſed to open yourſelf to me in thoſe things, wherein you may be unſatisfied. For though this work, as by poſition and principle, doth diſclaim to be tried by any thing but by experience,

(*w*) of the 16th of October, 1620, printed in Lord Bacon's works.

(*x*) Virgil, *Eclog. IX. verſ.* 46—50.

and

and the reſults of experience in a true way; yet the ſharpneſs and profoundneſs of your Majeſty's judgement ought to be an exception to this general rule; and your queſtions, obſervations, and admoniſhments, may do infinite good.

This comfortable beginning makes me hope farther, that your Majeſty will be aiding to me, in ſetting men on work for the collecting of a natural and experimental hiſtory; which is *baſis totius negotii*, a thing, which I aſſure myſelf, will be from time to time an excellent recreation unto you; I ſay, to that admirable ſpirit of yours, that delighteth in light: and I hope well, that even in your times many noble inventions may be diſcovered for man's uſe. For who can tell, now this mine of truth is opened, how the veins go; and what lieth higher, and what lieth lower? But let me trouble your Majeſty no farther at this time. God ever preſerve and proſper your Majeſty.

[October 19, 1620.]

To the Marquis of BUCKINGHAM.

My very good Lord,

I SEND now only to give his Majeſty thanks for the ſingular comfort, which I received by his Majeſty's letter of his own hand, touching my book. And I muſt alſo give your Lordſhip of my beſt thanks, for your letter ſo kindly and affectionately written.

I did even now receive your Lordſhip's letter touching the proclamation, and do approve his Majeſty's judgement and foreſight about mine own. Neither would I have thought of inſerting matter of ſtate for the vulgar, but that now-a-days there is no vulgar, but all ſtateſmen. But, as his Majeſty doth excellently

cellently conſider, the time of it is not yet proper. I ever reſt

Your Lordſhip's moſt obliged friend,

and faithful ſervant,

October 19, 1620.

FR. VERULAM, *Canc.*

Indorſed,

In anſwer to his Majeſty's directions touching the proclamation for a parliament.

Notes of a Speech of the LORD CHANCELLOR *in the Star-Chamber, in the cauſe of Sir* HENRY YELVERTON, *Attorney General (y).*

SORRY for the perſon, being a gentleman, that I lived with in Grey's-Inn; ſerved with him when I was Attorney; joined with him in many ſervices, and one, that ever gave me more attributes in public, than I deſerved; and, beſides, a man of very good parts, which with me is friendſhip at firſt ſight; much more, joined with ſo ancient an acquaintance.

But, as a Judge, I hold the offence very great, and that without preſſing meaſure; upon which I will only make a few obſervations, and ſo leave it.

(y) He was proſecuted in the Star-Chamber, for having paſſed certain clauſes in a charter, lately granted to the city of London, not agreeable to his Majeſty's warrant, and derogatory to his honour. But the chief reaſon of the ſeverity againſt him was thought to be the Marquis of Buckingham's reſentment againſt him, for having oppoſed, according to the duty of his office, ſome oppreſſive, if not illegal, patents, which the projectors of thoſe times were buſy in preparing.

1. First I obſerve the danger and conſequence of the offence: for if it be ſuffered, that the learned council ſhall practiſe the art of multiplication upon their warrants, the crown will be deſtroyed in ſmall time. The great ſeal, the privy ſeal, ſignet, are ſolemn things; but they follow the King's hand. It is the bill drawn by the learned council and the docquet, that leads the King's hand.

2. Next I note the nature of the defence. As firſt, that it was error in judgement: for this ſurely, if the offence were ſmall, though clear, or great, but doubtful, I ſhould hardly ſentence it. For it is hard to draw a ſtrait line by ſteadineſs of hand; but it could not be the ſwerving of the hand. And herein I note the wiſdom of the law of England, which termeth the higheſt contempts and exceſſes of authority, *miſpriſions*; which, if you take the ſound and derivation of the words, is but *miſtaken*: but if you take the uſe and acceptation of the word, it is high and heinous contempts and uſurpations of authority; whereof the reaſon I take to be, and the name excellently impoſed; for that main miſtaking, it is ever joined with contempt; for he, that reveres, will not eaſily miſtake; but he, that ſlights, and thinks more of the greatneſs of his place than of the duty of his place, will ſoon commit miſpriſions.

* Indorſed, *Star-Chamber, October* 24, 1620.
Notes upon Mr. Attorney's cauſe.

To the Marquis of BUCKINGHAM.

My very good Lord,

IT may be, your Lordſhip will expect to hear from me what paſſed yeſterday in the Star-Chamber, touching Yelverton's cauſe, though we deſired Secretary Calvert to acquaint his Majeſty therewith.

To make ſhort, at the motion of the Attorney, in perſon at the bar, and at the motion of my Lord Steward (*z*) in court, the day of proceeding is deferred till the King's pleaſure is known. This was againſt my opinion, then declared plain enough; but put to votes, and ruled by the major part, though ſome concurred with me.

I do not like of this courſe, in reſpect that it puts the King in a ſtrait; for either the note of ſeverity muſt reſt upon his Majeſty, if he go on; or the thanks of clemency is in ſome part taken away, if his Majeſty go not on.

I have *cor unum et via una*; and therefore did my part as a Judge and the King's Chancellor. What is farther to be done, I will adviſe the King faithfully, when I ſee his Majeſty and your Lordſhip. But before I give advice, I muſt aſk a queſtion firſt.

God ever preſerve and proſper you.

Your Lordſhip's moſt obliged friend,

and faithful ſervant,

October 28, 1620.

FR. VERULAM, *Canc.*

To the KING.

It may pleaſe your moſt excellent Majeſty,

IN performance of your royal pleaſure, ſignified by Sir John Suckling (*a*), we have at ſeveral times conſidered of the petition of Mr. Chriſtopher Villiers (*b*), and have heard, as well the regiſters and miniſters of the Prerogative-Court of Canterbury, and their

(*z*) The Duke of Lenox.

(*a*) He was afterwards Comptroller of the Houſhold to King Charles I, and father of the poet of the ſame name.

(*b*) Youngeſt brother to the Marquis of Buckingham. He was created, April 23, 1623, Baron of Daventry and Earl of Angleſey. He died September 24, 1624.

council, as alſo the council of the Lord Archbiſhop of Canterbury. And ſetting aſide ſuch other points, as are deſired by the petition, we do think, that your Majeſty may by law, and without inconvenience, appoint an officer, that ſhall have the ingroſſing of the tranſcripts of all wills to be ſealed with the ſeal of either of the Prerogative-Courts, which ſhall be proved *in communi formâ*; and likewiſe of all inventories, to be exhibited in the ſame courts.

We ſee it neceſſary, that all wills, which are not judicially controverted, be ingroſſed before the probate. Yet, as the law now ſtands, no officer of thoſe courts can lawfully take any fee or reward for ingroſſing the ſaid wills and inventories, the ſtatute of the 21ſt of King Henry the VIIIth reſtraining them. Wherefore we hold it much more convenient, that it ſhould be done by a lawful officer, to be appointed by your Majeſty, than in a cauſe not warrantable by law. Yet our humble opinion and advice is, that good conſideration be had in paſſing this book, as well touching a moderate proportion of fees to be allowed for the pains and travel of the officer, as for the expedition of the ſuitor, in ſuch ſort, that the ſubject may find himſelf in better caſe than he is now, and not in worſe.

But however we conceive this may be convenient in the two courts of prerogative, where there is much buſineſs; yet in the ordinary courſe of the Biſhop's dioceſans, we hold the ſame will be inconvenient, in regard of the ſmall employment.

Your Majeſty's moſt faithful,
and obedient ſervant,

November 15, 1620.

FR. VERULAM, *Canc.*
ROBERT NAUNTON,
HENRY MONTAGU (*c*).

(*c*) Lord Chief Juſtice of the King's Bench, who, on the 3d of December following, was advanced to the poſt of Lord High Treaſurer.

To

To the LORD CHANCELLOR (*).

AFTER my very hearty commendations, I have acquainted his Majeſty with your letter, who commanded me to tell you, that he had been thinking upon the ſame point, whereof you write, three or four days ago, being ſo far from making any queſtion of it, that he every day expected when a writ ſhould come down. For at the creation of Prince Henry, the Lords of the council and Judges aſſured his Majeſty of as much, as the precedents, mentioned in your letter, ſpeak of. And ſo I reſt

Your Lordſhip's very loving friend

at command,

Newmarket, the 24th of Novemb. 1620. G. BUCKINGHAM.

Indorſed,

Shewing his Majeſty is ſatisfied with precedents, touching the Prince's ſummons to parliament.

To the Marquis of BUCKINGHAM.

My very good Lord,

YOUR Lordſhip may find, that in the number of patents, which we have repreſented to his Majeſty, as like to be ſtirred in by the Lower Houſe of Parliament, we have ſet down three, which may concern ſome of your Lordſhip's ſpecial friends, which I account as mine own friends; and ſo ſhewed myſelf, when they were in ſuit. The one, that to Sir

(*) Harl. MSS. Vol. 7000.

Giles Mompeſſon, touching the inns; the ſecond, to Mr. Chriſtopher Villiers and Mr. Maule, touching the recognizances for ale-houſes; the third, to Mr. Lieutenant of the Tower, touching the caſk. Theſe in duty could not be omitted, for that, ſpecially the two firſt of them, are more rumoured, both by the vulgar, and by the gentlemen, yea, and by the Judges themſelves, than any other patents at this day. Therefore I thought it appertained to the ſingular love and affection, which I bear you upon ſo many obligations, to wiſh and adviſe, that your Lordſhip, whom God hath made in all things ſo fit to be beloved, would put off the envy of theſe things, which I think in themſelves bear no great fruit; and rather take the thanks for ceaſing them, than the note for maintaining them. But, howſoever, let me know your mind, and your Lordſhip ſhall find I will go your way.

I cannot expreſs, how much comfort I take in the choice his Majeſty hath made of my Lord Chief Juſtice to be Lord Treaſurer; not for his ſake, nor for my ſake, but for the King's ſake; hoping, that now a number of counſels, which I have given for the eſtabliſhment of his Majeſty's eſtate, and have lain dead and buried deeper than this ſnow, may now ſpring up, and bear fruit; the rather, for that I perſuade myſelf, he and I ſhall run one way. And yet I know well, that in this doubling world *cor una et via una* is rare in one man, but more rare between two. And therefore, if it pleaſe his Majeſty, according to his prudent cuſtom in ſuch caſes, to caſt out, now at his coming down, ſome words, which may the better knit us in conjunction to do him ſervice, I ſuppoſe it will be to no idle purpoſe.

And as an old truant in the commiſſion of the treaſury, let me put his Majeſty in remembrance of three things now upon his entrance, which he is preſently to go in hand with: the firſt, to make Ireland

to

to bear the charge thereof: the ſecond, to bring all accounts to one purſe in the Exchequer: the third, by all poſſible means to endeavour the taking off of the anticipations. There be a thouſand things more; but theſe being his Majeſty's laſt commands to the Commiſſioners of the Treaſury, with ſuch as in his Majeſty's princely judgement ſhall occur, will do well to ſeaſon his place.

Your Lordſhip's moſt obliged friend,

and faithful ſervant,

November 29, 1620.

FR. VERULAM, *Canc.*

As ſoon as I had written this letter, I received your Lordſhip's letter, touching my Lord Chief Juſtice, which redoubled my comfort, to ſee how his Majeſty's thoughts and mine, his poor ſervant's, and your Lordſhip's, meet.

I ſend incloſed names for the Speaker; and if his Majeſty, or your Lordſhip, demand our opinion, which of them, my Lord Chief Juſtice will tell you. It were well it were diſpatched; for elſe I will not dine with the Speaker; for his drink will not be laid in time enough.

I beſeech your Lordſhip, care may be taken, that our general letter may be kept ſecret, whereof my Lord Chief Juſtice will tell you the reaſon.

To the KING.

It may pleaſe your moſt excellent Majeſty,

ACCORDING to your commandment, we have heard once more the proctors of the Prerogative-Court, what they could ſay; and find no reaſon

to alter, in any part, our former certificate. Thus much withall we think fit to note to your Majeſty, that our former certificate, which we now ratify, is principally grounded upon a point in law, upon the ſtatute of 21 Henry VIII, wherein we the Chancellor and Treaſurer, for our own opinions, do conceive the law is clear; and your Sollicitor General (d) concurs.

Now whether your Majeſty will be pleaſed to reſt in our opinions, and ſo to paſs the patents; or give us leave to aſſiſt ourſelves with the opinion of ſome principal Judges now in town, whereby the law may be the better reſolved, to avoid farther queſtion hereafter; we leave it to your Majeſty's royal pleaſure. This we repreſent the rather, becauſe we diſcern ſuch a confidence in the proctors, and thoſe upon whom they depend, as, it is not unlike, they will bring it to a legal queſtion.

And ſo we humbly kiſs your Majeſty's hands, praying for your preſervation.

Your Majeſty's moſt humble and obedient ſervants,

York-houſe, December 12, 1620.

FR. VERULAM, *Canc.*
HENRY MONTAGU,
ROBERT NAUNTON.

The LORD CHANCELLOR *and two* CHIEF JUSTICES (e) *to the Marquis of* BUCKINGHAM.

Our very good Lord,

IT may pleaſe his Majeſty to call to mind, that when we gave his Majeſty our laſt account of

(d) Sir Thomas Coventry, who was made Attorney General, January 14, 162½.

(e) Sir Henry Montagu of the King's Bench, and Sir Henry Hobart of the Common Pleas.

parliament

parliament buſineſs in his preſence, we went over the grievances of the laſt parliament in 7mo (*f*), with our opinion by way of probable conjecture, which of them are like to fall off, and which may perchance ſtick and be renewed. And we did alſo then acquaint his Majeſty, that we thought it no leſs fit to take into conſideration grievances of like nature, which have ſprung up ſince the ſaid laſt ſeſſion, which are the more like to be called upon, by how much they are the more freſh, ſignifying withall, that they were of two kinds; ſome proclamations and commiſſions, and many patents; which, nevertheleſs, we did not trouble his Majeſty withall in particular; partly, for that we were not then fully prepared (as being a work of ſome length,) and partly, for that we then deſired and obtained leave of his Majeſty to communicate them with the council-table. But now ſince, I, the Chancellor, received his Majeſty's pleaſure by Secretary Calvert, that we ſhould firſt preſent them to his Majeſty with ſome advice thereupon proviſionally, and as we are capable, and thereupon know his Majeſty's pleaſure before they be brought to the table, which is the work of this diſpatch.

And hereupon his Majeſty may be likewiſe pleaſed to call to mind, that we then ſaid, and do now alſo humbly make remonſtance to his Majeſty, that in this we do not ſo much expreſs the ſenſe of our own minds or judgements upon the particulars, as we do perſonate the Lower Houſe, and caſt with ourſelves what is like to be ſtirred there. And therefore if there be any thing, either in reſpect of the matter, or the perſons, that ſtands not ſo well with his Majeſty's good liking, that his Majeſty would be graciouſly pleaſed not to impute it unto us; and withall

(*f*) that which began February 9, 1609; and was prorogued July 23, 1610.

to conſider, that it is to this good end, that his Majeſty may either remove ſuch of them, as in his own princely judgement, or with the advice of his council, he ſhall think fit to be removed; or be the better provided to carry through ſuch of them, as he ſhall think fit to be maintained, in caſe they ſhould be moved; and ſo the leſs ſurpriſed.

Firſt, therefore to begin with the patents, we find three ſorts of patents, and thoſe ſomewhat frequent, ſince the ſeſſion of 7mo, which *in genere* we conceive may be moſt ſubject to exception of grievance; patents of old debts, patents of concealments, and patents of monopolies, and forfeitures for diſpenſations of penal laws, together with ſome other particulars, which fall not ſo properly under any one head.

In theſe three heads, we do humbly adviſe ſeveral courſes to be taken; for the firſt two, of old debts and concealments, for that they are in a ſort legal, though there may be found out ſome point in law to overthrow them; yet it would be a long buſineſs by courſe of law, and a matter unuſual by act of council, to call them in. But that, that moves us chiefly, to avoid the queſtioning them at the council-table, is, becauſe if they ſhall be taken away by the King's act, it may let in upon him a flood of ſuitors for recompence; whereas, if they be taken away at the ſuit of the parliament, and a law thereupon made, it frees the King, and leaves him to give recompence only where he ſhall be pleaſed to intend grace. Wherefore we conceive the moſt convenient way will be, if ſome grave and diſcreet gentleman of the country, ſuch as have loſt relation to the court, make, at fit times, ſome modeſt motion touching the ſame; and that his Majeſty would be graciouſly pleaſed to permit ſome law to paſs (for the time paſt only, no ways touching his Majeſty's regal power) to free the ſubjects from the ſame; and ſo his Majeſty, after due conſultation, to give way unto it. For

"For the third, we do humbly adviſe, that ſuch of them, as his Majeſty ſhall give way to have called in, may be queſtioned before the council-table, either as granted contrary to his Majeſty's book of bounty, or found ſince to have been abuſed in the execution, or otherwiſe by experience diſcovered to be burdenſome to the country. But herein we ſhall add this farther humble advice, that it be not done as matter of preparation to a parliament; but that occaſion be taken, partly upon reviſing of the book of bounty, and partly upon the freſh examples in Sir Henry Yelverton's caſe of abuſe and ſurreption in obtaining of patents; and likewiſe, that it be but as a continuance in conformity of the council's former diligence and vigilancy, which hath already ſtayed and revoked divers patents of like nature, whereof we are ready to ſhew the examples. Thus, we conceive, his Majeſty ſhall keep his greatneſs, and ſomewhat ſhall be done in parliament, and ſomewhat out of parliament, as the nature of the ſubject and buſineſs require.

We have ſent his Majeſty herewith a ſchedule of the particulars of theſe three kinds; wherein, for the firſt two, we have ſet down all that we could at this time diſcover: but in the latter, we have choſen out but ſome, that are moſt in ſpeech, and do moſt tend, either to the vexation of the common people, or the diſcountenancing of our gentlemen and juſtices, the one being the original, the other the repreſentative of the commons.

There being many more of like nature, but not of like weight, nor ſo much rumoured, which, to take away now in a blaze, will give more ſcandal, that ſuch things were granted, than thanks, that they be now revoked.

And becauſe all things may appear to his Majeſty in the true light, we have ſet down, as well the ſuitors as the grants, and not only thoſe, in whoſe names the patents were taken, but thoſe, whom they concern, as far as comes to our knowledge. For

For proclamations and commiſſions, they are tender things; and we are willing to meddle with them ſparingly. For as for ſuch, as do but wait upon patents (wherein his Majeſty, as we conceived, gave ſome approbation to have them taken away,) it is better they fall away, by taking away the patent itſelf, than otherwiſe; for a proclamation cannot be revoked but by proclamation, which we avoid.

For thoſe commonwealth bills, which his Majeſty approved to be put in readineſs, and ſome other things, there will be time enough hereafter to give his Majeſty account, and amongſt them, of the extent of his Majeſty's pardon, which, if his ſubjects do their part, as we hope they will, we do wiſh may be more liberal than of later times, a pardon being the ancient remuneration in parliament.

Thus hoping his Majeſty, out of his gracious and accuſtomed benignity, will accept of our faithful endeavours, and ſupply the reſt by his own princely wiſdom and direction; and alſo humbly praying his Majeſty, that when he hath himſelf conſidered of our humble propoſitions, he will give us leave to impart them all, or as much as he ſhall think fit, to the Lords of his Council, for the better ſtrength of his ſervice, we conclude with our prayers for his Majeſty's happy preſervation, and always reſt &c.

Indorſed,

The Lord Chancellor and the two Chief Juſtices to the King, concerning parliament buſineſs.

To the LORD CHANCELLOR, *and the Lord* MANDEVILLE, *Lord Treaſurer of England* (*).

My honourable Lords,

HIS Majeſty is pleaſed, according to your Lordſhips certificate, to rely upon your judgements,

(*) Harl. MSS. Vol. 7000.

and

and hath made choice of Sir Robert Lloyd, Knight, to be Patentee and Maſter of the Office of ingroſſing the Tranſcripts of all Wills and Inventories in the Prerogative-Courts, during his Highneſs's pleaſure, and to be accountable unto his Majeſty for ſuch profits, as ſhall ariſe out of the ſame office. And his Majeſty's farther pleaſure is, that your Lordſhip forthwith proportion and ſet down, as well a reaſonable rate of fees for the ſubject to pay for ingroſſing the ſaid tranſcripts, as alſo ſuch fees, as your Lordſhip ſhall conceive fit to be allowed to the ſaid patentee for the charge of clerks and miniſters for execution of the ſaid office. And to this effect his Majeſty hath commanded me to ſignify his pleaſure to his Sollicitor General (*g*), to prepare a book for his Majeſty's ſignature. And ſo I bid your Lordſhip heartily well to fare, and remain

Your Lordſhip's very loving friend,

Royſton, December 17, 1620. G. BUCKINGHAM.

To the Marquis of BUCKINGHAM.

My very good Lord,

I WAS ſo full of cold, as I could not attend his Majeſty to-day. Yeſterday I diſpatched the proclamation with the council. There was a motion to have ſharpened it; but better none, than over ſharp at firſt. I moved the council alſo for ſupplying the committee for drawing of bills and ſome other matters, in regard of my Lord Hobart's (*h*) ſickneſs, who, I think, will hardly eſcape: which, though it be happineſs for him, yet it is loſs for us.

(*g*) Sir Thomas Coventry.
(*h*) Lord Chief Juſtice of the Common Pleas.

Mean

Mean while, as I propounded to the King, which he allowed well, I have broken the main of the parliament into queſtions and parts, which I ſend. It may be, it is an over-diligence; but ſtill methinks there is a middle thing between art and chance: I think they call it providence, or ſome ſuch thing, which good ſervants owe to their Sovereign, ſpecially in caſes of importance and ſtraits of occaſions. And thoſe huffing elections, and general licence of ſpeech, ought to make us the better provided. The way will be, if his Majeſty be pleaſed to peruſe theſe queſtions adviſedly, and give me leave to wait on him; and then refer it to ſome few of the council, a little to adviſe upon it. I ever reſt

Your Lordſhip's moſt obliged friend,

and faithful ſervant,

December 23, 1620.

FR. VERULAM, *Canc.*

To the LORD CHANCELLOR (*).

My honourable Lord,

HIS Majeſty hath commanded me to ſignify his pleaſure unto your Lordſhip, that Sir Thomas Coventry, now his Sollicitor General, be forthwith made his Attorney General: and that your Lordſhip give order to the Clerk of the Crown to draw up a grant of the ſaid place unto him accordingly. And ſo I reſt

Your Lordſhip's faithful friend and ſervant,

Whitehall, 9th of January, 1620.

G. BUCKINGHAM.

(*) Harl. MSS. Vol. 7000.

To

To the LORD CHANCELLOR (*).

My honourable Lord,

I HAVE been intreated to recommend unto your Lordſhip the diſtreſſed caſe of the Lady Martin, widow of Sir Richard Martin, deceaſed, who hath a cauſe to be heard before your Lordſhip in the Chancery, at your firſt ſitting in the next term, between her and one Archer, and others, upon an ancient ſtatute, due long ſince unto her huſband; which cauſe, I am informed, hath received three verdicts for her in the common law, a decree in the Exchequer-Chamber, and a diſmiſſion before your Lordſhip: which I was the more willing to do, becauſe I have ſeen a letter of his Majeſty to the ſaid Sir Richard Martin, acknowledging the good ſervice, that he did him in this Kingdom, at the time of his Majeſty's being in Scotland. And therefore I deſire your Lordſhip, that you would give her a full and fair hearing of her cauſe, and a ſpeedy diſpatch thereof, her poverty being ſuch, that having nothing to live on but her huſband's debts, if her ſuit long depend, ſhe ſhall be inforced to loſe her cauſe for want of means to follow it: wherein I will acknowledge your Lordſhip's favour, and reſt

Your Lordſhip's faithful friend and ſervant,

Whitehall, the 13th of January, 1620. G. BUCKINGHAM.

(*) Harl. MSS. Vol. 7000.

To

To the LORD CHANCELLOR (*).

My honourable Lord,

HIS Majeſty hath commanded me to ſignify his pleaſure unto you, that you give preſent order to the Clerk of the Crown to draw a bill to be ſigned by his Majeſty for Robert Heath, late Recorder of London, to be his Majeſty's Sollicitor General. So I reſt

Your Lordſhip's faithful friend and ſervant,

Theobalds, 20th of January, 1620. G. BUCKINGHAM.

To the KING (*i*).

May it pleaſe your Majeſty,

I THANK God I number days, both in thankfulneſs to him, and in warning to myſelf. I ſhould likewiſe number your Majeſty's benefits, which, as, to take them in all kinds, they are without number; ſo even in this kind of ſteps and degrees of advancement, they are in greater number, than ſcarcely any other of your ſubjects can ſay. For this is now the eighth time, that your Majeſty hath raiſed me.

You formed me of the learned council extraordinary, without patent or fee, a kind of *individuum vagum*. You eſtabliſhed me, and brought me into ordinary. Soon after, you placed me Sollicitor, where I ſerved ſeven years. Then your Majeſty made me your Attorney, or Procurator

(*) Harl. MSS. Vol. 7000.

(*i*) This ſeems to have been written by Lord St. Albans, juſt after he was created a Viſcount by that title, January 27, 1620.

General;

General; then Privy Counſellor, while I was Attorney; a kind of miracle of your favour, that had not been in many ages: thence Keeper of your Seal; and, becauſe that was a kind of planet, and not fixed, Chancellor: and, when your Majeſty could raiſe me no higher, it was your grace to illuſtrate me with beams of honour, firſt making me Baron Verulam, and now Viſcount St. Alban. So this is the eighth riſe or reach, a diapaſon in muſic, even a good number, and accord for a cloſe. And ſo I may, without ſuperſtition, be buried in St. Alban's habit or veſtment.

Beſides the number, the obligation is increaſed by three notes or marks: firſt, that they proceed from ſuch a King; for honours from ſome Kings are but great chancels, or counters, ſet high; but from your Majeſty, they are indeed dignities, by the co-operation of your grace. Secondly, in reſpect of the continuance of your Majeſty's favour, which proceedeth, as the divine favour, from grace to grace. And, thirdly, theſe ſplendors of honour are like your freeſt patents, *abſque aliquid inde reddendo.* Offices have burdens of cares and labours; but honours have no burden but thankfulneſs, which doth rather raiſe men's ſpirits, than *accable* them, or preſs them down.

Then I muſt ſay, *quid retribuam?* I have nothing of mine own. That, that God hath given me, I ſhall preſent unto your Majeſty; which is care and diligence, and aſſiduous endeavour, and that, which is the chief, *cor unum et viam unam*; hoping, that your Majeſty will do, as your ſuperior doth; that is, finding my heart upright, you will bear with my other imperfections. And laſtly, your Majeſty ſhall have the beſt of my time, which, I aſſure myſelf, I ſhall conclude in your favour, and ſurvive in your remembrance. And that is my prayer for myſelf. The reſt ſhall be in prayers for your Majeſty

To the LORD CHANCELLOR (*).

My noble Lord,

I HAVE ſhewed your letter of thanks to his Majeſty, who ſaith there are too many thanks in it for ſo ſmall a favour; which he holdeth too little to encourage ſo well a deſerving ſervant. For myſelf, I ſhall ever rejoice at the manifeſtation of his Majeſty's favour toward you, and will contribute all, that is in me, to the increaſing of his good opinion; ever reſting

Your Lordſhip's faithful friend and ſervant,

G. BUCKINGHAM.

Speech of the Lord Viſcount ST. ALBAN, *Lord Chancellor, to the parliament, January* 30, 1620.

My Lords and Maſters,

YOU have heard the King's ſpeech; and it makes me call to mind what Solomon ſaith, who was alſo a King: *The words of the wiſe are as nails and pins, driven in and faſtened by the maſters of aſſemblies.* The King is the maſter of this aſſembly; and though his words, in regard of the ſweetneſs of them, do not prick; yet, in regard of the weight and wiſdom of them, I know they pierce through and through; that is, both into your memories, and into your affections; and there I leave them.

As the King himſelf hath declared unto you the cauſes of the convoking of this parliament; ſo he hath commanded me to ſet before you the true inſti-

(*) Harl. MSS. Vol. 7000.

tution

tution and uſe of a parliament, that thereby you may take your aim, and govern yourſelves the better in parliament matters: for then are all things in beſt ſtate, when they are preſerved in their primitive inſtitution; for otherwiſe, ye know the principle of philoſophy to be, that the corruption or degeneration of the beſt things is the worſt.

The Kings of this realm have uſed to ſummon their parliaments or eſtates for three ends or purpoſes; for advice, for aſſent, and for aid.

For advice, it is no doubt great ſurety for Kings to take advice and information from their parliament. It is advice, that proceedeth out of experience: it is not ſpeculative or abſtract. It is a well-tried advice, and that paſſeth many revenues, and hath Argus's eyes. It is an advice, that commonly is free from private and particular ends, which is the bane of counſel. For although ſome particular members of parliament may have their private ends; yet one man ſets another upright; ſo that the reſultate of their counſels is, for the moſt part, direct and ſincere. But this advice is to be given with diſtinction of the ſubjects: they are to tender and offer their advice by bill or petition, as the caſe requires. But in thoſe things, that are *Arcana Imperii*, and reſerved points of ſovereignty, as making of war or peace, or the like, there they are to apply their advice to that, which ſhall be communicated unto them by the King, without preſſing farther within the vail, or reaching forth to the forbidden fruit of knowledge. In theſe things the rule holds, *tantum permiſſum quantum commiſſum.*

To the Marquis of BUCKINGHAM.

My very good Lord,

WITH due thanks for your laſt viſit, this day is a play-day for me. But I will wait on your Lordſhip, if it be neceſſary.

I do hear from divers of judgement, that to-morrow's conference (*k*) is like to paſs in a calm, as to the referrees (*l*). Sir Lionel Cranfield, who hath been formerly the trumpet, ſaid yeſterday, that he did now incline to Sir John Walter's opinion and motion, not to have the referrees meddled with otherwiſe, than to diſcount it from the King; and ſo not to look back, but to the future. And I do hear almoſt all men of judgement in the Houſe wiſh now that way. I woo no body: I do but liſten, and I have doubt only of Sir Edward Coke, who, I wiſh, had ſome round *caveat* given him from the King; for your Lordſhip hath no great power with him: but I think a word from the King mates him.

If things be carried fair by the committees of the Lower Houſe, I am in ſome doubt, whether there will be occaſion for your Lordſhip to ſpeak to-morrow; though, I confeſs, I incline to wiſh you did, chiefly becauſe you are fortunate in that kind; and, to be plain alſo, for our better countenance, when your Lordſhip, according to your noble propoſition,

(*k*) On Monday the 5th of March, 162$\frac{0}{1}$, the Houſe of Lords received a meſſage from the Commons, deſiring a conference touching certain grievances, principally concerning Sir Giles Mompeſſon. See Journal of the Houſe of Lords.

(*l*) thoſe, to whom the King referred the petitions, to conſider, whether they were fit to be granted or no. This explanation of the word *referrees* I owe to a note in a MS. letter, written to the celebrated Mr. Joſeph Mead of Chriſt's College, Cambridge.

ſhall

ſhall ſhew more regard of the fraternity you have with great counſellors, than of the intereſt of your natural brother.

Always, good my Lord, let us think of times out of parliament, as well as the preſent time in parliament, and let us not all be put *es pourpoint*. Fair and moderate courſes are ever beſt in cauſes of eſtate; the rather, becauſe I wiſh this parliament, by the ſweet and united paſſages thereof, may increaſe the King's reputation with foreigners, who may make a far other judgement than we mean, of a beginning to queſtion great counſellors and officers of the crown, by courts, or aſſemblies of eſtates. But the reflection upon my particular in this makes me more ſparing, than perhaps, as a counſellor, I ought to be.

God ever preſerve and proſper you.

Your Lordſhip's true ſervant all and ever,

March 7, the day I received the ſeal, 1620. FR. ST. ALBAN, *Canc.*

To the KING (*m*).

It may pleaſe your Majeſty,

I RECEIVED your Majeſty's letter about midnight: and becauſe it was ſtronger than the ancient ſummons of the Exchequer, which is, *ſicut teipſum*

(*m*) The date of this letter is determined to be the 8th of March, 162$\frac{0}{1}$, from the circumſtance of its being mentioned to have been written on that Thurſday, on which the Houſe of Lords adjourned to the Saturday following. It appears from the Journal of that Houſe, that on the 8th of March, 1620, the ſaid Houſe, at which were preſent the Prince of Wales and Marquis of Buckingham, was adjourned to Saturday the 10th, on which day a conference of both Houſes was held relating to the complaint of that of the Commons againſt Sir Giles Mompeſſon. Of this conference the Lord Chancellor made report on Monday, March 12,

teipſum et omnia tua diligis; whereas this was *ſicut me diligis*; I uſed all poſſible care to effect your Majeſty's good will and pleaſure.

I ſent early to the Prince, and to my Lord Treaſurer; and we attended his Highneſs, ſoon after ſeven of the clock, at Whitehall, to avoid farther note. We agreed, that, if the meſſage came, we would put the Lords into this way, that the anſwer ſhould be that we underſtood they came, prepared both with examination and precedent; and we likewiſe deſired to be alike prepared, that the conference might be with more fruit.

I did farther ſpeak with my Lord of Canterbury, when I came to the Houſe, not letting him know any part of the buſineſs, that he would go on with a motion, which he had told me of the day before, that the Lords Houſe might not ſit Wedneſday and Friday, becauſe they were convocation-days; and ſo was the former cuſtom of parliament.

As good luck was, the Houſe read two bills, and had no other buſineſs at all: whereupon my Lord of Canterbury made his motion; and I adjourned the Houſe till Saturday. It was no ſooner done, but came the meſſage from the Lower Houſe. But the *conſummatum eſt* was paſt, though I perceived a great willingneſs, in many of the Lords, to have recalled it, if it might have been.

to the Houſe of Lords, remarking, that "the inducement to this "conference was to clear the King's honour, touching grants "to Sir Giles, and the paſſages in procuring the ſame." After this report of the conference, the Lord Chamberlain, William Earl of Pembroke, complained to the Houſe, that *two great Lords*, meaning the Lord Chancellor and the Lord Treaſurer, the Lord Viſcount Mandeville, had, in that conference, *ſpake in their own defence, not being allowed to do ſo when the committees were named.* Upon which both the Lords acknowledged their error, and begged pardon of the Houſe.

So

So with my beſt prayers for your Majeſty's preſervation; I reſt

Your Majeſty's moſt bounden

and moſt devoted ſervant,

Thurſday, at eleven of our forenoon [March 8, 1620.]

FR. ST. ALBAN, *Canc.*

To the Marquis of BUCKINGHAM (*o*).

My very good Lord,

YOUR Lordſhip ſpoke of purgatory. I am now in it; but my mind is in a calm; for my fortune is not my felicity. I know I have clean hands, and a clean heart; and, I hope, a clean houſe for friends or ſervants. But Job himſelf, or whoſoever was the juſteſt judge, by ſuch hunting for matters againſt him, as hath been uſed againſt me, may for a time ſeem foul, eſpecially in a time, when greatneſs is the mark, and accuſation is the game. And if this be to be a Chancellor, I think, if the great ſeal lay upon Hounſlow Heath, no body would take it up. But the King and your Lordſhip will, I hope, put an end to theſe my ſtraits one way or other. And in troth that, which I fear moſt, is, leſt continual attendance and buſineſs, together with theſe cares, and want of time to do my weak body right this ſpring by diet and phyſic, will caſt me down; and that it will be thought feigning, or fainting. But I hope in God I ſhall hold out. God proſper you.

(*o*) This letter ſeems to have been written ſoon after Lord St. Alban began to be accuſed of abuſes in his office of Chancellor.

To the Chancellor of the Duchy, Sir HUMPHREY MAY.

Good Mr. Chancellor,

THERE will come, upon Friday, before you a patent (*p*) of his Majeſty's for the ſeparation of the company of apothecaries from the company of grocers, and their ſurvey, and the erecting them into a corporation of themſelves under the ſurvey of the phyſicians. It is, as I conceive, a fair buſineſs both for law and conveniency, and a work, which the King made his own, and did, and, as I hear, doth take much to heart. It is *in favorem vitæ*, where the other part is *in favorem lucri*. You may perhaps think me partial to apothecaries, that have been ever puddering in phyſic all my life. But there is a circumſtance, that touches upon me but *poſt diem*, for it is comprehended in the charge and ſentence paſſed upon me. It is true, that after I had put the ſeal to the patent, the apothecaries (*q*) preſented me with

(*p*) The patent for incorporating the apothecaries by themſelves, by the appellation of *The Maſters, Wardens, and Society of the Art and Myſtery of Apothecaries of London*, was dated December 6, 1617. They had been incorparated with the company of grocers, April 9, 1606.

(*q*) His Lordſhip being charged by the Houſe of Commons, that he had received 100 l. of the *new company of apothecaries, that ſtood againſt the grocers*, as likewiſe a taſter of gold worth between 400 and 500 l. with a preſent of ambergriſe, from *the apothecaries that ſtood with the grocers*, and 200 l. of the grocers; he admits the ſeveral ſums to have been received of the three parties, but alledges, "that he conſidered thoſe preſents as no "judicial buſineſs, but a concord of compoſition between the "parties: and as he thought they had all three received good, "and they were all common purſes, he thought it the leſs matter "to receive what they voluntarily preſented; for if he had taken "it in the nature of a bribe, he knew it could not be concealed, "becauſe it muſt be put to the account of the three ſeveral "companies."

an

an hundred pounds. It was no judicial affair. But howſoever, as it may not be defended, ſo I would be glad it were not raked up more than needs. I doubt only the chair (*r*), becauſe I hear he uſeth names ſharply; and beſides, it may be, he hath a tooth at me yet, which is not fallen out with age. But the beſt is, as one ſaith, *ſatis eſt lapſos non erigere; urgere verò jacentes, aut præcipitantes impellere, certè eſt inhumanum.* Mr. Chancellor, if you will be nobly pleaſed to grace me upon this occaſion, by ſhewing tenderneſs of my name, and commiſeration of my fortune, there is no man in that aſſembly, from whoſe mouth I had rather it ſhould come. I hope it will be no diſhonour to you. It will oblige me much, and be a worthy fruit of our laſt reintegration of friendſhip. I reſt

Your faithful friend to do you ſervice.

Memoranda of what the LORD CHANCELLOR *intended to deliver to the* KING, *April* 16, 1621 (*s*), *upon his firſt acceſs to his Majeſty after his troubles.*

THAT howſoever it goeth with me, I think myſelf infinitely bound to his Majeſty for admitting me to touch the hem of his garment; and that, according to my faith, ſo be it unto me.

The

(*r*) Sir Robert Philips was Chairman of the Committee of the Houſe of Commons for inquiring into the abuſes of the courts of juſtice. He was ſon of Sir Edward Philips, Maſter of the Rolls, who died September 11, 1614, being ſucceeded by Sir Julius Cæſar, to whom the King had given, January 16, 161⅘, under the great ſeal, the reverſion of that poſt.

(*s*) A committee of the Houſe of Commons had been appointed about the 12th of March, 162⅘, to inſpect the abuſes of the courts of juſtice, of which Sir Edward Sackville was named the Chairman, but by reaſon of ſome indiſpoſition, Sir Robert Philips

That I ought alſo humbly to thank his Majeſty for that, in that excellent ſpeech of his, which is printed, that

lips was choſen in his room. The firſt thing they fell upon was bribery and corruption, of which the Lord Chancellor was accuſed by Mr. Chriſtopher Aubrey and Mr. Edward Egerton, who affirmed, that they had procured money to be given to his Lordſhip to promote their cauſes depending before him. This charge being corroborated by ſome circumſtances, a report of it was made from the committee to the Houſe, on Thurſday the 15th of March; and a ſecond, on the 17th, of other matters of the ſame nature charged upon his Lordſhip. The heads of the accuſation having been drawn up, were preſented by the Commons to the Lords, in a conference on Monday the 19th of the ſame month. The ſubject of this conference being reported, the next day, to the Houſe of Lords by the Lord Treaſurer, the Marquis of Buckingham preſented to their Lordſhips a letter to them from the Lord Chancellor, dated that day. Upon this letter, anſwer was ſent from the Lords to the Lord Chancellor, on the 20th, that they had received his letter, and intended to proceed in his cauſe, now before them, according to the rule of juſtice, deſiring his Lordſhip to provide for his juſt defence. The next day, March 21, the Commons ſent to the Lords a farther charge againſt the Lord Chancellor; and their Lordſhips, in the mean time, examined the complaints againſt him, and witneſſes in the Houſe, and appointed a ſelect committee of themſelves to take examinations likewiſe. Towards the latter end of March, the ſeſſion was diſcontinued for ſome time, in hopes, as it was imagined, of ſoftening the Lord Chancellor's fall: but upon the re-aſſembling of the parliament, more complaints being daily repreſented, on Wedneſday, April 24, the Prince ſignified unto the Lords, that his Lordſhip had ſent a ſubmiſſion, dated the 22d. Which the Lords having conſidered, and heard the collection of corruptions charged on him, and the proofs read, they ſent a copy of the ſame, without the proofs, to him by Baron Denham and Mr. Attorney General, with this meſſage, that his Lordſhip's confeſſion was not fully ſet down by him; and that they had therefore ſent him the particular charge, and expected his anſwer to it with all convenient expedition. To which he anſwered, that he would return their Lordſhips an anſwer with ſpeed. On the 25th of April, the Lords conſidered of his ſaid anſwer, and ſent a ſecond meſſage by the ſame perſons, that having received a doubtful anſwer to their meſſage, ſent him the day before, they now ſent to him again, to know directly and preſently, whether his Lordſhip would make his confeſſion, or ſtand upon his defence. His anſwer returned by the ſame meſſengers was, that

he

that ſpeech of ſo great maturity, wherein the elements are ſo well mingled, by kindling affection, by waſhing away aſperſion, by eſtabliſhing of opinion, and yet giving way to opinion, I do find ſome paſſages, which I do conſtrue to my advantage.

And laſtly, that I have heard from my friends, that notwithſtanding theſe waves of information, his Majeſty mentions my name with grace and favour.

In the next place, I am to make an oblation of myſelf into his Majeſty's hands, that, as, I wrote to him, I am as *clay in his hands*, his Majeſty may make a veſſel of honour or diſhonour of me, as I find favour in his eyes; and that I ſubmit myſelf wholly to his grace and mercy, and to be governed both in my cauſe and fortunes by his direction, knowing, that his heart is inſcrutable for good. Only I may expreſs myſelf thus far, that my deſire is, that the thread, or line, or my life, may be no longer than the thread, or line, of my ſervice: I mean, that I may be of uſe to your Majeſty in one kind or other.

Now for any farther ſpeech, I would humbly pray his Majeſty, that whatſoever the law of nature ſhall teach me to ſpeak for my own preſervation, your Majeſty will underſtand it to be in ſuch ſort, as I do nevertheleſs depend wholly upon your will and pleaſure. And under this ſubmiſſion, if your Majeſty

he would make no manner of defence, but meant to acknowledge corruption, and to make a particular confeſſion to every point, and after that an humble ſubmiſſion; but humbly craved liberty, that where the charge was more full than he finds the truth of the fact, he may make declaration of the truth in ſuch particulars, the charge being brief, and containing not all circumſtances. The Lords ſent the ſame meſſengers, to let him know, that they granted him time to do this till the Monday following; when he ſent his confeſſion, and ſubmiſſion; which being avowed by him to ſeveral Lords, ſent to him, the Lords reſolved, on the 2d of May, to proceed to ſentence him the next morning, and ſummoned him to attend; which he excuſing, on account of being confined to his bed by ſickneſs, they gave judgement accordingly, on the 3d of May, 1621.

will

will graciouſly give me the hearing, I will open my heart unto you, both touching my fault, and fortune.

For the former of theſe, I ſhall deal ingenuouſly with your Majeſty, without ſeeking fig-leaves, or ſubterfuges.

There be three degrees, or caſes, as I conceive, of gifts and rewards given to a Judge.

The firſt is of bargain, contract, or promiſe of reward, *pendente lite*. And this is properly called *venalis ſententia*, or *baratria*, or *corruptelæ munerum*. And of this, my heart tells me, I am innocent; that I had no bribe or reward in my eye or thought, when I pronounced any ſentence or order.

The ſecond is a neglect in the Judge to inform himſelf, whether the cauſe be fully at an end, or no, what time he receives the gift; but takes it upon the credit of the party, that all is done; or otherwiſe omits to inquire.

And the third is, when it is received *ſine fraude*, after the cauſe ended; which, it ſeems by the opinion of the civilians, is no offence. Look into the caſe of ſimony, &c.

Draught of another paper to the ſame purpoſe.

THERE be three degrees, or caſes, of bribery, charged, or ſuppoſed, in a Judge:

The firſt, of bargain, or contract, for reward to pervert juſtice.

The ſecond, where the Judge conceives the cauſe to be at an end, by the information of the party, or otherwiſe, and uſeth not ſuch diligence, as he ought, to inquire of it. And the third, when the cauſe is really ended, and it is *ſine fraude*, without relation to any precedent promiſe.

Now

Now if I might ſee the particulars of my charge, I ſhould deal plainly with your Majeſty, in whether of theſe degrees every particular caſe falls.

But for the firſt of them, I take myſelf to be as as innocent, as any born upon St. Innocents day, in my heart.

For the ſecond, I doubt in ſome particulars I may be faulty.

And for the laſt, I conceived it to be no fault; but therein I deſire to be better informed, that I may be twice penitent, once for the fact, and again for the error. For I had rather be a briber, than a defender of bribes.

I muſt likewiſe confeſs to your Majeſty, that at New-year's tides, and likewiſe at my firſt coming in (which was, as it were, my wedding) I did not ſo preciſely, as perhaps I ought, examine, whether thoſe, that preſented me, had cauſes before me, yea or no.

And this is ſimply all, that I can ſay for the preſent, concerning my charge, until I may receive it more particularly. And all this while, I do not fly to that, as to ſay, that theſe things are *vitia temporis*, and not *vitia hominis*.

For my fortune, *ſumma ſummorum* with me is, that I may not be made altogether unprofitable to do your Majeſty's ſervice, or honour. If your Majeſty continue me as I am, I hope I ſhall be a new man, and ſhall reform things out of feeling, more than another can do out of example. If I caſt part of my burden, I ſhall be more ſtrong and *delivré* to bear the reſt. And, to tell your Majeſty what my thoughts run upon, I think of writing a ſtory of England, and of recompiling of your laws into a better digeſt.

But to conclude, I moſt humbly pray your Majeſty's directions and advice. For as your Majeſty hath uſed to give me the attribute of care of your buſineſs; ſo I muſt now caſt the care of myſelf upon God and you.

Notes

(*t*) *Notes upon* MICHAEL DE LA POLE's *Caſe.*

10 *Rich.* 2. THE offences were of three natures:
1. Deceits to the King.
2. Miſgovernance in point of eſtate, whereby the ordinances, made by ten Commiſſioners for reformation of the ſtate, were fruſtrated, and the city of Ghent, in foreign parts, loſt.
3. And his ſetting the ſeal to pardons for murders, and other enormous crimes.

The judgement was impriſonment, fine, and ranſom, and reſtitution to the King, but no diſablement, nor making him uncapable, no degrading in honour mentioned in the judgement: but contrary-wiſe, in the clauſe, that reſtitution ſhould be made and levied out of his lands and goods, it is expreſsly ſaid, that becauſe his honour of Earl was not taken from him, therefore his 20 l. *per annum* creation money ſhould not be meddled with.

Obſervations upon THORPE's *Caſe.*

24 *Edw.* 3. HIS offence was taking of money from five ſeveral perſons, that were felons, for ſtaying their proceſs of exigent; for that it made him a kind of acceſſary of felony, and touched upon matter capital.

The judgement was the judgement of felony: but the proceeding had many things ſtrong and new; firſt, the proceeding was by commiſſion of *oyer* and *terminer*, and by jury; and not by parliament.

The judgement is recited to be given in the King's high and ſovereign power.

(*t*) This paper was probably drawn up on occaſion of the proceedings and judgement paſſed upon the Lord Viſcount St. Alban by the Houſe of Lords, May 3, 1621.

It

It is recited likewiſe, that the King, when he made him Chief Juſtice, and increaſed his wages, did *ore tenus* ſay to him, in the preſence of his council, that now, if he bribed, he would hang him: unto which penance (for ſo the record called it) he ſubmitted himſelf. So it was a judgement by a contract.

His oath likewiſe, which was deviſed ſome few years before, which is very ſtrict in words, that he ſhall take no reward, neither before nor after, is chiefly inſiſted upon. And that, which is more to be obſerved, there is a preciſe proviſo, that the judgement and proceeding ſhall not be drawn into example againſt any, and ſpecially not againſt any, who have not taken the like oath: which the Lord Chancellor, Lord Treaſurer, Maſter of the Wards, &c. take not, but only the Judges of both Benches, and Baron of the Exchequer.

The King pardoned him preſently after, doubting, as it ſeems, that the judgement was erroneous both in matter and form of proceeding; brought it before the Lords of Parliament, who affirmed the judgement, and gave authority to the King in the like caſes, for the time to come, to call to him what Lords it pleaſed him, and to adjudge them.

Notes upon Sir JOHN LEE's *Caſe, Steward of the King's Houſhold,*

44. *Edw.* 3. HIS offences were great oppreſſions in uſurpation of authority, in attacking and impriſoning in the Tower, and other priſons, numbers of the King's ſubjects, for cauſes no ways appertaining to his juriſdiction; and for diſcharginging an appellant of felony without warrant, and for deceit of the King, and extortions.

His judgement was only impriſonment in the Tower, until he had made a fine and ranſom at the King's will; and no more.

Notes

Notes upon Lord LATIMER's *Caſe.*

50 *Edw.* 3. HIS offences were very high and heinous, drawing upon high treaſon: as the extortious taking of victuals in Bretagne to a great value, without paying any thing; and for ranſoming divers pariſhes there to the ſum of 83,000 l. contrary to the articles of truce proclaimed by the King; for ſuffering his Deputies and Lieutenants in Bretagne to exact, upon the towns and countries there, divers ſums of money, to the ſum of 150,000 crowns; for ſharing with Richard Lyons, in his deceit of the King; for inlarging, by his own authority, divers felons; and divers other exorbitant offences.

Notwithſtanding all this, his judgement was only to be committed to the Marſhalſea, and to make fine and ranſom at the King's will.

But after, at the ſuit of the Commons, in regard of thoſe horrible and treaſonable offences, he was diſplaced from his office, and diſabled to be of the King's Council; but his honours not touched, and he was preſently bailed by ſome of the Lords, and ſuffered to go at large.

JOHN *Lord* NEVILLE's *Caſe.*

50 *Edw.* 3. HIS offences were the not ſupplying the full number of the ſoldiers in Bretagne, according to the allowance of the King's pay. And the ſecond was for buying certain debts, due from the King, to his own lucre, and giving the parties ſmall recompence, and ſpecially in a caſe of the Lady Ravenſholme.

And it was prayed by the Commons, that he might be put out of office about the King: but there was no judgement given upon that prayer, but only of reſtitution to the Lady, and a general clauſe of being puniſhed according to his demerits.

To the Count GONDOMAR, *Ambaſſador from the court of Spain.*

Illuſtriſſime Domine Legate;

AMOREM illuſtriſſimæ Dominationis tuæ erga me, ejuſque et fervorem et candorem, tam in proſperis rebus, quam in adverſis, æquabili tenore conſtantem perſpexi. Quo nomine tibi meritas et debitas gratias ago. Me verò jam vocat et ætas, et fortuna, atque etiam genius meus, cui adhuc ſatis moroſè ſatisfeci, ut excedens è theatro rerum civilium literis me dedam, et ipſos actores inſtruam, et poſteritati ſerviam. Id mihi fortaſſe honori erit, et degam tanquam in atriis vitæ melioris.

Deus illuſtriſſimam Dominationem tuam incolumem ſervet et proſperam.

Servus tuus,

Junii 6, 1621.

FR. ST. ALBAN.

To Count GONDOMAR (*u*).

Illuſtriſſime et excellentiſſime Domine,

PERSPEXI et agnoſco providentiam divinam, quod in tantâ ſolitudine mihi tanquam cœlitus ſuſcitaverit talem amicum, qui tantis implicatus negotiis, et in tantis temporis anguſtiis, curam mei habuerit, idque pro me effecerit, quod alii amici mei aut non auſi ſint tentare, aut obtinere non potuerint. Atque illuſtriſſimæ Dominationi tuæ reddent fructum

(*u*) In the *Letters, Memoirs, &c. of the Lord Chancellor Bacon*, publiſhed by Mr. Stephens, in 1736, p. 517, is a Spaniſh letter to him from Count Gondomar, dated at London, June 14, 1621.

proprium et perpetuum mores tui tam generoſi, et erga omnia officia humanitatis et honoris propenſi; neque erit fortaſſe inter opera tua hoc minimum, quod me, qui et aliquis fui apud vivos, neque omnino intermoriar apud poſteros, ope et gratiâ tuâ erexeris, confirmaris. Ego quid poſſum? Ero tandem tuus, ſi minus uſufructu, at ſaltem affectu, voto. Sub cineribus fortunæ vivi erunt ſemper ignes amoris. Te igitur humillimè ſaluto, tibi valedico, omnia proſpera exopto, gratitudinem teſtor, obſervantiam polliceor.

Illuſtriſſimo et excellentiſſimo Do. Do. Didaco Sarmiento de Acuña, Comiti de Gondomar, Legato Regis Hiſpaniarum extraordinario in Angliâ.

To the Marquis of BUCKINGHAM (*w*).

My very good Lord,

I HUMBLY thank your Lordſhip for the grace and favour, which you did both to the meſſage and meſſenger, in bringing Mr. Meautys to kiſs his Majeſty's hands, and to receive his pleaſure. My riches in my adverſity hath been, that I have had a good maſter, a good friend, and a good ſervant.

Perceiving, by Mr. Meautys, his Majeſty's inclination, it ſhall be, as it hath ever uſed to be to me, inſtead of a direction; and therefore I purpoſe to go forthwith to Gorhambury, humbly thanking his Majeſty nevertheleſs, that he was graciouſly pleaſed to have acquainted my Lords with my deſire, if it had ſtood me ſo much upon. But his Majeſty knoweth

(*w*) This letter is reprinted here, becauſe it differs, in ſome reſpects, from that publiſhed in *Letters, Memoirs, Parliamentary Affairs, State Papers, &c.* by Robert Stephens, Eſq; p. 151. Edit. London, 1736, 4to.

beſt

beſt the times and ſeaſons; and to his grace I ſubmit myſelf, deſiring his Majeſty and your Lordſhip to take my letters from the Tower as written *de profundis*, and thoſe I continue to write to be *ex aquis ſalſis*.

[June 22, 1621.]

Indorſed,

To Lord Buckingham, upon bringing Mr. Meautys to kiſs the King's hands.

To the Marquis of BUCKINGHAM.

My very good Lord,

I HAVE written, as I thought it decent in me to do, to his Majeſty the letter I ſend incloſed. I have great faith, that your Lordſhip, now nobly and like yourſelf, will effect with his Majeſty. In this the King is of himſelf, and it hath no relation to parliament. I have written alſo, as your Lordſhip adviſed me, only touching that point of means. I have lived hitherto upon the ſcraps of my former fortunes; and I ſhall not be able to hold out longer. Therefore I hope your Lordſhip will now, according to the loving promiſes and hopes given, ſettle my poor fortunes, or rather my being. I am much fallen in love with a private life; but yet I ſhall ſo ſpend my time, as ſhall not decay my abilities for uſe.

God preſerve and proſper your Lordſhip.

[Sept. 5, 1621.]

To the PRINCE.

May it pleaſe your Highneſs,

I CANNOT too oft acknowledge your Highneſs's favour in my troubles; but acknowledgement now is but begging of new favour. Yet even that is

not inconvenient; for thankſgiving and petition go well together, even to God himſelf. My humble ſuit to your Highneſs, that I may be thought on for means to ſubſiſt; and to that purpoſe, that your Highneſs will join with my noble friend to the King. That done, I ſhall ever be ready, either at God's call, or his Majeſty's, and as happy, to my thinking, as a man can be, that muſt leave to ſerve ſuch a King.

God preſerve and proſper your Highneſs.

On the back of the draughts of the three preceding letters were written the following memoranda.

Biſhops Wincheſter (*x*), Durham (*y*), London (*z*).

Lord Duke (*a*), Lord Hunſdon.

Lord Chamberlain (*b*), to thank him for his kind remembrance by you; and though in this private fortune I ſhall have uſe of few friends, yet I cannot but acknowledge the moderation and affection his Lordſhip ſhewed in my buſineſs, and deſire, that of thoſe few his Lordſhip will ſtill be one for my comfort, in whatſoever may croſs his way, for the furtherance of my private life and fortune.

Mr. John Murray. If there be any thing, that may concern me, that is fit for him to ſpeak, and me to know, that I may receive it by you.

Mr. Maxwell. That I am ſorry, that ſo ſoon as I came to know him, and to be beholding to him, I wanted power to be of uſe to him.

Lord of Kelly; and to acquaint him with that part touching the confinement.

(*x*) Dr. Andrews. (*y*) Dr. Richard Neile
(*z*) Dr. George Mountain. (*a*) Lenox.
(*b*) William, Earl of Pembroke.

To

To the KING.

It may pleaſe your Majeſty,

NOW that your Majeſty hath paſſed the recreation of your progreſs, there is nevertheleſs one kind of recreation, which, I know, remaineth with your Majeſty all the year; which is to do good, and to exerciſe your clemency and beneficence. I ſhall never meaſure my poor ſervice by the merit, which perhaps is ſmall, but by the acceptation, which hath been always favourably great. I have ſerved your Majeſty now ſeventeen years; and ſince my firſt ſervice (which was in the commiſſion of the union,) I received from your Majeſty never chiding or rebuke, but always ſweetneſs and thanks. Neither was I, in theſe ſeventeen years, ever chargeable to your Majeſty, but got my means in an honourable ſweat of my labour, ſave that of late your Majeſty was graciouſly pleaſed to beſtow upon me the penſion of twelve hundred pounds for a few years. For in that other poor prop of my eſtate, which is the farming of the petty writs, I improved your Majeſty's revenue by four hundred pounds the year. And likewiſe, when I received the ſeal, I left both the Attorney's place, which was a gainful place, and the Clerkſhip of the Star-Chamber, which was Queen Elizabeth's favour, and was worth twelve hundred pounds by the year, which would have been a good *commendam*. The honours, which your Majeſty hath done me, have put me above the means to get my living; and the miſery I am fallen into hath put me below the means to ſubſiſt as I am. I hope my courſes ſhall be ſuch, for this little end of my thread, which remaineth, as your Majeſty, in doing me good, may do good to many, both that live now, and ſhall be born hereafter. I have been the keeper of your ſeal,

and now am your beadſman. Let your own royal heart, and my noble friend, ſpeak the reſt.

God preſerve and proſper your Majeſty.

Your Majeſty's faithful

poor ſervant and beadſman,

September 5, 1621.

FR. ST. ALBAN.

Cardinal Wolſey ſaid, that if he had pleaſed God as he pleaſed the King, he had not been ruined. My conſcience ſaith no ſuch thing; for I know not but in ſerving you, I have ſerved God in one. But it may be, if I had pleaſed God, as I had pleaſed you, it would have been better with me.

To the KING.

It may pleaſe your moſt excellent Majeſty,

I DO very humbly thank your Majeſty for your gracious remiſſion of my fine. I can now, I thank God and you, die, and make a will.

I deſire to do, for the little time God ſhall ſend me life, like the merchants of London, which, when they give over trade, lay out their money upon land. So, being freed from civil buſineſs, I lay forth my poor talent upon thoſe things, which may be perpetual, ſtill having relation to do you honour with thoſe powers I have left.

I have therefore choſen to write the reign of King Henry the VIIth, who was in a ſort your forerunner, and whoſe ſpirit, as well as his blood, is doubled upon your Majeſty.

I durſt not have preſumed to intreat your Majeſty to look over the book, and correct it, or at leaſt to ſignify

ſignify what you would have amended. But ſince you are pleaſed to ſend for the book, I will hope for it.

[(*c*) God knoweth, whether ever I ſhall ſee you again; but I will pray for you to the laſt gaſp, reſting]

The ſame, your true beadſman,

October 8, 1621.

FR. ST. ALBAN.

Grant of pardon to the Viſcount ST. ALBAN, *under the privy ſeal* (*d*).

A SPECIAL pardon granted unto Francis, Viſcount St. Alban, for all felonies done and committed againſt the common laws and ſtatutes of this realm; and for all offences of præmunire; and for all miſpriſions, riots, &c. with a reſtitution of all his lands and goods forfeited by reaſon of any the premiſes; except out of the ſame pardon all treaſons, murders, rapes, inceſt; and except alſo all fines, impriſonments, penalties, and forfeitures adjudged againſt the ſaid Viſcount St. Alban by a ſentence lately made in the parliament. Teſte Rege apud Weſtm. 17 die Octob. anno Regni ſuo 19.

Per lettre de privato ſigillo.

Dr. WILLIAMS, *Biſhop of Lincoln elect, and Lord Keeper of the Great Seal, to the Viſcount* ST. ALBAN.

My very good Lord,

HAVING peruſed a privy ſeal, containing a pardon for your Lordſhip, and thought ſeriouſly thereupon, I find, that the paſſing of the

(*c*) This paſſage has a line drawn over it.
(*d*) Cotton Library, Titus B. VII.

ſame (the aſſembly in parliament ſo near approaching (*e*)) cannot but be much prejudicial to the ſervice of the King, to the honour of my Lord of Buckingham, to that commiſeration, which otherwiſe would be had of your Lordſhip's preſent eſtate, and eſpecially to my judgement and fidelity. I have ever affectionately loved your Lordſhip's many and moſt excelling good parts and endowments; nor had ever cauſe to diſaffect your Lordſhip's perſon. So as no reſpect in the world, beſide the former conſiderations, could have drawn me to add the leaſt affliction, or diſcontentment, unto your Lordſhip's preſent fortune. May it therefore pleaſe your Lordſhip to ſuſpend the paſſing of this pardon, until the next aſſembly be over and diſſolved; and I will be then as ready to ſeal it, as your Lordſhip to accept of it; and, in the mean time, undertake, that the King and my Lord Admiral ſhall interpret this ſhort delay, as a ſervice and reſpect iſſuing wholly from your Lordſhip; and reſt, in all other offices whatſoever,

Your Lordſhip's faithful ſervant,

JO. LINCOLN. *elect. Cuſtos Sigilli.*

Weſtminſter-College,
October 18, 1621.

To the Right Honourable his very good Lord, the Lord Viſcount St. Alban.

(*e*) It met November 24, 1621; and was diſſolved, February 8, 1621.

To

To the LORD KEEPER.

My very good Lord,

I KNOW the reaſons muſt appear to your Lordſhip many and weighty, which ſhould move you to ſtop the King's grace, or to diſſuade it; and ſomewhat the more in reſpect of my perſon, being, I hope, no unfit ſubject for noble dealing. The meſſage I received by Mr. Meautys did import inconvenience, in the form of the pardon; your Lordſhip's laſt letter, in the time: for, as for the matter, it lay ſo fair for his Majeſty's and my Lord of Buckingham's own knowledge, as I conceive your Lordſhip doth not aim at that. My affliction hath made me underſtand myſelf better, and not worſe; yet loving advice, I know, helps well. Therefore I ſend Mr. Meautys to your Lordſhip, that I might reap ſo much your fruit of your Lordſhip's profeſſed good affection, as to know in ſome more particular faſhion, what it is that your Lordſhip doubteth, or diſliketh *(f)*; that I may the better endeavour your ſatisfaction, or acquieſcence, if there be cauſe. So I reſt

Your Lordſhip's to do you ſervice,

October 18, 1621.

FR. ST. ALBAN.

(f) The Lord Keeper, in a letter to the Marquis of Buckingham, dated October 27, 1621, printed in the *Cabala*, p. 60. Edit. London, 1654, gives his reaſons, why he heſitated to ſeal that pardon.

Petition

Petition of the Lord Viſcount ST. ALBAN, *intended for the Houſe of Lords.*

My right honourable very good Lords,

IN all humbleneſs, acknowledging your Lordſhips juſtice, I do now in like manner crave and implore your grace and compaſſion. I am old, weak, ruined, in want, a very ſubject of pity. My only ſuit to your Lordſhips is to ſhew me your noble favour towards the releaſe of my confinement (ſo every confinement is,) and to me, I proteſt, worſe than the Tower *(g)*. There I could have had company, phyſicians, conference with my creditors and friends about my debts, and the neceſſities of my eſtate, helps for my ſtudies and the writings I have in hand. Here I live upon the ſword-point of a ſharp air, indangered, if I go abroad, dulled, if ſtay within, ſolitary and comfortleſs without company, baniſhed from all opportunities to treat with any to do myſelf good, and to help out any wrecks; and that, which is one of my greateſt griefs, my wife, that hath been no partaker of my offending, muſt be partaker of this miſery of my reſtraint.

May it pleaſe your Lordſhips therefore, ſince there is a time for juſtice, and a time for miſery, to think with compaſſion upon that, which I have already ſuffered, which is not little; and to recommend this my humble, and, as I hope, modeſt, ſuit to his moſt excellent Majeſty, the fountain of grace, of whoſe mer-

(g) He had been committed to the Tower in May, 1621, and diſcharged after two days confinement there, according to Camden, *Annales Regis Jacobi I.* p. 71. There is a letter of his Lordſhip to the Marquis of Buckingham, dated from the Tower, May 31, 1621, deſiring his Lordſhip to procure his diſcharge that day.

cy,

ty, for ſo much as concerns himſelf merely, I have already taſted, and likewiſe of his favour of this very kind, by ſome ſmall temporary diſpenſations.

Herein your Lordſhips ſhall do a work of charity and nobility: you ſhall do me good; you ſhall do my creditors good; and, it may be, you ſhall do poſterity good, if out of the carcaſe of dead and rotten greatneſs (as out of Samſon's lion) there may be honey gathered for the uſe of future times.

God bleſs your perſons and counſels.

Your Lordſhips ſupplicant and ſervant,

FR. ST. ALBAN.

Indorſed,

Copy of the petition intended for the Houſe of Parliament.

To JOHN *Lord* DIGBY (*b*).

My very good Lord,

RECEIVING, by Mr. Johnſon, your loving ſalutations, it made me call to mind many of your Lordſhip's tokens, yea and pledges, of good and hearty affection in both my fortunes; for which I ſhall be ever yours. I pray, my Lord, if occaſion ſerve, give me your good word to the King, for the releaſe of my confinement, which is to me a very ſtrait kind of impriſonment. I am no Jeſuit, nor no leper; but one, that ſerved his Majeſty theſe ſixteen years, even from the commiſſion of the union, till this laſt parliament, and ever had many thanks of his Majeſty, and was never chidden. This his Ma-

(*b*) Created ſo in November, 1618, and in September, 1622, Earl of Briſtol.

jeſty,

jeſty, I know, will remember at one time or other; for I am his man ſtill.

God keep your Lordſhip.

Your Lordſhip's moſt affectionate
to do you ſervice,

Gorhambury, this laſt of December, 1621. FR. ST. ALBAN.

To the Lord Viſcount ST. ALBAN (*).

My honourable Lord,

I HAVE received your Lordſhip's letter, and have been long thinking upon it, and the longer, the leſs able to make anſwer unto it. Therefore if your Lordſhip will be pleaſed to ſend any underſtanding man unto me, to whom I may, in diſcourſe, open myſelf, I will, by that means, ſo diſcover my heart with all freedom, which were too long to do by letter, eſpecially in this time of parliament buſineſs, that your Lordſhip ſhall receive ſatisfaction. In the mean time, I reſt

Your Lordſhip's faithful ſervant,

Royſton, December 16 [1621]. G. BUCKINGHAM.

To the Marquis of BUCKINGHAM.

My very good Lord,

THE reaſon, why I was ſo deſirous to have had conference with your Lordſhip at London, was indeed to ſave you the trouble of writing: I mean, the reaſon in the ſecond place; for the chief was to ſee your Lordſhip. But ſince you are pleaſed to give me the liberty to ſend to your Lordſhip one, to whom you will deliver your mind, I take that in ſo good part, as I think

(*) Harl. MSS. Vol. 7000.

my-

myſelf tied the more to uſe that liberty modeſtly. Wherefore, if your Lordſhip will vouchſafe to ſend to me one of your own (except I might have leave to come to London,) either Mr. Packer, my ancient friend, or Mr. Ayleſbury (*i*), of whoſe good affection towards me I have heard report; to me it ſhall be indifferent. But if your Lordſhip will have one of my nomination, if I might preſume ſo far, I would name, before all others, my Lord of Falkland. But becauſe perhaps it may coſt him a journey, which I may not in good manners deſire, I have thought of Sir Edward Sackville, Sir Robert Manſell, my brother, Mr. Sollicitor General (*k*), (who, though he be almoſt a ſtranger to me, yet, as my caſe now is, I had rather employ a man of good nature than a friend,) and Sir Arthur Ingram, notwithſtanding he be great with my Lord Treaſurer. Of theſe, if your Lordſhip ſhall be pleaſed to prick one, I hope well I ſhall intreat him to attend your Lordſhip, and to be ſorry never a whit of the employment. Your Lordſhip may take your own time to ſignify your will, in regard of the preſent buſineſs of parliament. But my time was confined, by due reſpect, to write a preſent anſwer to a letter, which I conſtrued to be a kind letter, and ſuch as giveth me yet hope to ſhew myſelf to your Lordſhip

Your Lordſhip's moſt obliged friend,

and faithful ſervant,

FR. ST. ALBAN.

Indorſed,

To the Lord of Buckingham, in anſwer to his of the 16th of December.

(*i*) Thomas Ayleſbury, Eſq; Secretary to the Marquis of Buckingham as Lord High-Admiral. He was created a Baronet in 1627. Lord Chancellor Clarendon married his daughter Frances.

(*k*) Sir Robert Heath, made Sollicitor in January 14, 1625.

A Me-

A Memorial of Conference, when the Lord Viſcount ST. ALBAN *expected the Marquis of* BUCKINGHAM.

My Lord Marquis,

Inducement.] AFFLICTIONS are truly called trials; trials of a man's ſelf, and trials of friends. For the firſt, I am not guilty to myſelf of any unworthineſs, except perhaps too much ſoftneſs in the beginning of my troubles. But ſince, I praiſe God, I have not lived like a drone. nor like a mal-content, nor like a man confuſed. But though the world hath taken her talent from me, yet God's talent I put to uſe.

For trial of friends, he cannot have many friends, that hath choſen to rely upon one. So that is in a ſmall room, ending in yourſelf. My ſuit therefore to you is, that you would now, upon this vouchſafed conference, open yourſelf to me, whether I ſtand in your favour and affection, as I have done; and if there be an alteration, what is the cauſe; and, if none, what effects I may expect for the future of your friendſhip and favour, my ſtate being not unknown to you.

Reaſons of doubting.] The reaſons, why I ſhould doubt of your Lordſhip's coolneſs towards me, or falling from me, are either out of judgement and diſcourſe, or out of experience, and ſomewhat that I find. My judgement telleth, that when a man is out of ſight and out of uſe, it is a noblencſs ſomewhat above this age to continue a conſtant friend: that ſome, that are thought to have your ear, or more, love me not, and may either diſvalue me, or diſtaſte your Lordſhip with me. Beſides, your Lordſhip hath now ſo many, either new-purchaſed friends, or reconciled enemies, as there is ſcarce room for an old friend ſpecially ſet

aſide. And laſtly, I may doubt, that that, for which I was fitteſt, which was to carry things *ſuavibus modis*, and not to briſtle, or undertake, or give venturous counſels, is out of faſhion and requeſt.

As for that, I find your Lordſhip knoweth, as well as I, what promiſes you made me, and iterated them back by meſſage, and from your mouth, conſiſting of three things: the pardon of the whole ſentence; ſome help for my debts; and an annual penſion, which your Lordſhip did ſet at 2000 l. as obtained, and 3000 l. in hope. Of theſe, being promiſes undeſired, as well as favours undeſerved, there is effected only the remiſſion of the fine, and the pardon now ſtayed. From me I know there hath proceeded nothing, that may cauſe the change. Theſe I lay before you, deſiring to know, what I may hope for; for hopes are racks, and your Lordſhip, that would not condemn me to the Tower, I know will not condemn me to the rack.

The pardon ſtayed.] I have, though it be a thing trivial, and that at a coronation one might have it for five marks, and after a parliament for nothing, yet have great reaſon to deſire it, ſpecially being now ſtirred: chiefly, firſt, becauſe I have been ſo ſifted; and now it is time there were an end. Secondly, becauſe I mean to live a retired life; and ſo cannot be at hand to ſhake off any clamour.

For any offence the parliament ſhould take, it is rather honour, that in a thing, wherein the King is abſolute, yet he will not interpoſe in that, which the parliament hath handled; and the King hath already reſtored judicature, after a long intermiſſion: but for matter of his grace, his Majeſty ſhall have reaſon to keep it intire.

I do not think any, except a Turk or Tartar, would wiſh to have another chop out of me. But the beſt is, it will be found there is a time for envy, and a time for pity; and cold fragments will not

ſerve,

ſerve, if the ſtomach be on edge. For me, if they judge by that, which is paſt, they judge of the weather of this year by an almanack of the old year; they rather repent of that they have done, and think they have but ſerved the turns of a few.

THOMAS MEAUTYS, *Eſq*; (*m*) *to the Lord Viſcount* ST. ALBAN.

May it pleaſe your Lordſhip,

AS ſoon as I came to London, I repaired to Sir Edward Sackville (*n*), whom I find very zealous, as I told your Lordſhip. I left him to do you ſervice, in any particular you ſhall command him, to my Lord Marquis (though it were with ſome adventure;) and withall he imparted to me what advice he had given to my Lady this afternoon, upon his viſiting of her at York-houſe, when Mr. Packer alſo, as it fell out, was come, at the ſame time, to ſee my Lady, and ſeemed to concur with Sir Edward Sackville in the ſame ways; which were, for my Lady to become a ſuitor to my Lady Buckingham (*o*), and my Lady Marchioneſs (*p*), to work my Lord Marquis

(*m*) He had been Secretary to the Lord Viſcount St. Alban, while his Lordſhip had the great ſeal, and was afterwards Clerk of the Council, and knighted. He ſucceeded his patron in the manor of Gorhambury, which, after the death of Sir Thomas, came to his couſin and heir, Sir Thomas Meautys, who married Anne, daughter of Sir Nathaniel Bacon of Culford-Hall in Suffolk, Knight; which Lady married a ſecond huſband, Sir Harbottle Grimſtone, Baronet, and Maſter of the Rolls; who purchaſed the reverſion of Gorhambury from Sir Hercules Meautys, nephew of the ſecond Sir Thomas.

(*n*) afterwards Earl of Dorſet, well known for his duel, in 1613, with the Lord Kinloſs, in which the latter was killed.

(*o*) Mary, Counteſs of Buckingham, mother of the Marquis.

(*p*) Catharine, Marchioneſs of Buckingham, wife of the Marquis, and only daughter and heir of Francis, Earl of Rutland.

for obtaining of the King ſome bounty towards your Lordſhip; and in particular, that of the thouſand pounds for the ſmall writs. If I may ſpeak my opinion to your Lordſhip, it is not amiſs to begin any way, or with any particular, though but ſmall game at firſt, only to ſet a ruſty clock a-going, and then haply it may go right for a time, enough to bring on the reſt of your Lordſhip's requeſts. Yet becauſe your Lordſhip directed me to wiſh my Lady, from you, by no means, to act any thing, but only to open her mind, in diſcourſe, unto friends, until ſhe ſhould receive your farther direction; it became not me to be too forward in putting it on too faſt with Sir Edward; and my Lady was pleaſed to tell me ſince, that ſhe hath written to your Lordſhip at large.

I inquired, even now, of Benbow, whether the proclamation for diſſolving the parliament were coming forth. He tells me, he knows no more certainty of it, than that Mr. Secretary commanded him yeſterday to be ready for diſpatching of the writs, when he ſhould be called for: but ſince then, he hears it ſticks, and endures ſome qualms; but they ſpeak it ſtill aloud at court, that the King is reſolved of it.

Benbow tells me likewiſe, that he hath attended, theſe two days, upon a committee of the Lords, with the book of the commiſſion of peace; and that their work is to empty the commiſſion in ſome counties by the ſcore, and many of them parliament-men: which courſe ſure helps to ring the paſſing-bell to the parliament.

Mr. Borough (*q*) tells me, he is at this preſent fain

(*q*) John Borough, educated in common law at Gray's Inn, Keeper of the Records in the Tower of London, Secretary to the Earl Marſhal, in 1623 made Norroy; in July the year following knighted, and on the 23d of December, the ſame year, made Garter King at Arms in the place of Sir William Segar. He died October 21, 1643.

to attend ſome ſervice for the King; but about Saturday he hopes to be at liberty to wait upon your Lordſhip. I humbly reſt

Your Lordſhip's for ever to honour and ſerve,

January 3, 1621. T. MEAUTYS.

To the Right Honourable my moſt honoured Lord, the Lord Viſcount St. Alban.

To the Lord Viſcount ST. ALBAN.

May it pleaſe your Lordſhip,

THIS afternoon my Lady found acceſs to my Lord Marquis, procured for her by my Lord of Montgomery (*r*), and Sir Edward Sackville, who ſeemed to contend, which of them ſhould ſhew moſt patience in waiting (which they did a whole afternoon) the opportunity to bring my Lord to his chamber, where my Lady attended him. But when he was come, ſhe found time enough to ſpeak at large: and though my Lord ſpake ſo loud, as that what paſſed was no ſecret to me and ſome others, that were within hearing; yet, becauſe my Lady told me ſhe purpoſeth to write to your Lordſhip the whole paſſage, it becomes not me to anticipate, by theſe, any part of her Ladyſhip's relation.

I ſend your Lordſhip herewith the proclamation for diſſolving the parliament; wherein there is nothing forgotten, that we (*s*) have done amiſs: but for moſt of thoſe things, that we have well done, we muſt be fain, I ſee, to commend ourſelves.

(*r*) Philip, afterwards Earl of Pembroke.

(*s*) Mr. Meautys was Member, in this Parliament, for the town of Cambridge.

I de-

I delivered your Lordſhip's to my Lord of Montgomery, and Mr. Matthew, who was even then come to York-houſe to viſit my Lady, when I received the letter; and, as ſoon as he had read it, he ſaid, that he had rather your Lordſhip had ſent him a challenge; and that it had been eaſier to anſwer, than ſo noble and kind a letter. He intends to ſee your Lordſhip ſome time this week; and ſo doth Sir Edward Sackville, who is forward to make my Lady a way by the Prince, if your Lordſhip adviſe it.

There are packets newly come out of Spain: and the King, they ſay, ſeems well pleaſed with the contents; wherein there is an abſolute promiſe, and undertaking, for reſtitution of the Palatinate; the diſpenſation returned already from the Pope, and the match haſtened on their parts. My Lord Digby goes ſhortly; and Mr. Matthew tells me, he means, before his going, to write by him to your Lordſhip.

The King goes not till Wedneſday, and the Prince certainly goes with him. My Lord Marquis, in perſon, chriſtens my Lord of Falkland's child to-morrow, at his houſe by Watford.

Mr. Murray (*t*) tells me, the King hath given your book (*u*) to my Lord Brooke (*w*), and injoined him to read it, recommending it much to him: and then my Lord Brooke is to return it to your Lordſhip; and ſo it may go to the preſs, when your Lordſhip pleaſes, with ſuch amendments, as the King hath made, which I have ſeen, and are very few, and thoſe rather words, as *epidemic*, and *mild* inſtead of *debonnaire*, *&c.* Only that of perſons attainted, enabled to ſerve in parliament by a bare reverſal of their attainder, the King by all

(*t*) Thomas Murray, Tutor and Secretary to the Prince, made Provoſt of Eton-College, in the room of Sir Henry Savile, who died February 19, 162½. Mr. Murray died likewiſe, April 1, 1623.

(*u*) *The Hiſtory of the Reign of King Henry the Seventh.*

(*w*) Fulk Greville.

means will have left out. I met with my Lord Brooke, and told him, that Mr. Murray had directed me to wait upon him for the book, when he had done with it. He deſired to be ſpared this week, as being to him a week of much buſineſs; and the next week I ſhould have it: and he ended in a compliment, that care ſhould be taken, by all means, for good ink and paper to print it in; for that the book deſerveth it.

I beg leave to kiſs your Lordſhip's hands.

Your Lordſhip's in all humbleneſs
to honour and ſerve,

January 7, 162¼.

T. MEAUTYS.

This proclamation is not yet ſealed; and therefore your Lordſhip may pleaſe, as yet, to keep it in your own hands.

To the Lord Viſcount ST. ALBAN.

My moſt honoured Lord,

I MET, even now, with a piece of news ſo unexpected, and yet ſo certainly true, as that, howſoever I had much ado, at firſt, to deſire the relater to ſpeak probably; yet now I dare ſend it your Lordſhip upon my credit. It is my Lord of Somerſet's and his Lady's coming out of the Tower, on Saturday laſt (*x*), fetched forth by my Lord of Falkland, and without the uſual degrees of confinement, at firſt to ſome one place (*y*); but abſolute and free,

(*x*) January 6, 162¼. *Camdeni Annales Regis Jacobi I. p.* 77.

(*y*) Camden, *ubi ſupra*, ſays, "that the Earl was ordered to "confine himſelf to the Lord Viſcount Wallingford's houſe, or "neighbourhood."

to

to go where they pleaſe. I know not how peradventure this might occaſion you to caſt your thoughts, touching yourſelf, into ſome new mould, though not in the main, yet in ſomething on the bye.

I beg leave to kiſs your Lordſhip's hands.

Your Lordſhip's, in all humbleneſs,

for ever to honour and ſerve you,

T. MEAUTYS.

LODOWIC STUART, *Duke of Lenox, to the Lord Viſcount* ST. ALBAN.

My Lord,

IT is not unknown to your Lordſhip, that, in reſpect I am now a married man, I have more reaſon than before to think of providing me ſome houſe in London, whereof I am yet deſtitute; and for that purpoſe, I have reſolved to intreat your Lordſhip, that I may deal with you for York-houſe; wherein I will not offer any conditions to your loſs. And, in reſpect I have underſtood, that the conſideration of your Lady's wanting a houſe hath bred ſome difficulty in your Lordſhip to part with it, I will for that make offer unto your Lordſhip, and your Lady, to uſe the houſe in Canon-Row, late the Earl of Hertford's, being a very commodious and capable houſe, wherein I and my wife have abſolute power; and whereof your Lordſhip ſhall have as long time, as you can challenge or deſire of York-houſe. In this I do freelier deal with your Lordſhip, in reſpect I know you are well aſſured of my well-wiſhes to you in general; and that in this particular, though I have not been without thoughts of this houſe before your Lordſhip had it; yet I was willing to give way to your Lord-

ſhip's more preſſing uſe thereof then. And as I do not doubt of your Lordſhip's endeavour to gratify me in this; ſo I ſhall eſteem it as an extraordinary courteſy, which I will ſtudy to requite by all means.

So, with my beſt wiſhes to your Lordſhip, I reſt

Your Lordſhip's moſt loving friend,

LENOX.

In reſpect my Lord of Buckingham was once deſirous to have had this houſe, I would not deal for it till now, that he is otherwiſe provided.

Whitehall, the 29th of January, 1621.

To the Right Honourable my very good Lord, my Lord Viſcount St. Alban.

Anſwer of the Lord Viſcount of ST. ALBAN.

My very good Lord,

I AM ſorry to deny your Grace any thing; but in this you will pardon me. York-houſe is the houſe, wherein my father died, and wherein I firſt breathed; and there will I yield my laſt breath, if ſo pleaſe God, and the King will give me leave; though I be now by fortune (as the old proverb is) like a bear in a monk's hood. At leaſt no money, no value, ſhall make me part with it. Beſides, as I never denied it to my Lord Marquis, ſo yet the difficulty I made was ſo like a denial, as I owe unto my great love and reſpect to his Lordſhip a denial to all my other friends; among whom, in a very near place next his Lordſhip, I ever accounted of your Grace. So, not doubting, that you

you will continue me in your former love and good affection, I reſt

Your Grace's, to do you humble ſervice affectionate, &c.

To the Marquis of BUCKINGHAM.

My very good Lord,

AS my hopes, ſince my misfortunes, have proceeded of your Lordſhip's mere motion, without any petition of mine; ſo I leave the times and the ways to the ſame good mind of yours. True it is, a ſmall matter for my debts would do me more good now, than double a twelvemonth hence. I have loſt ſix thouſand pounds by year, beſides caps and courteſies. But now a very moderate proportion would ſuffice; for I ſtill bear a little of the mind of a Commiſſioner of the Treaſury, not to be overchargeable to his Majeſty; and two things I may aſſure your Lordſhip of: the one, that I ſhall lead ſuch a courſe of life, as whatſoever the King doth for me, ſhall rather ſort to his Majeſty's and your Lordſhip's honour, than to envy: the other, that whatſoever men talk, I can play the good huſband, and the King's bounty ſhall not be loſt. If your Lordſhip think good, the Prince ſhould come in to help, I know his Highneſs wiſheth me well; if you will let me know when, and how, he may be uſed. But the King is the fountain, who, I know, is good.

God proſper you.

Your Lordſhip's moſt bounden and faithful,

Gorhambury, January 30, 1621.

FR. ST. ALBAN.

To the Marquis of BUCKINGHAM.

My very good Lord,

YOUR Lordſhip dealeth honourably with me in giving me notice, that your Lordſhip is provided of an houſe (*u*), whereby you diſcontinue the treaty your Lordſhip had with me for York-houſe, although I ſhall make no uſe of this notice, as to deal with any other. For I was ever reſolved your Lordſhip ſhould have had it, or no man. But your Lordſhip doth yet more nobly, in aſſuring me, you never meant it with any the leaſt inconvenience to myſelf. May it pleaſe your Lordſhip likewiſe to be aſſured from me, that I ever deſired you ſhould have it, and do ſtill continue of the ſame mind.

I humbly pray your Lordſhip, to move his Majeſty to take commiſeration of my long impriſonment. When I was in the Tower, I was nearer help of phyſic; I could parly with my creditors; I could deal with friends about my buſineſs; I could have helps at hand for my writings and ſtudies, wherein I ſpend my time; all which here fail me. Good my Lord, deliver me out of this; me, who am his Majeſty's dévout beadſman, and

Your Lordſhip's moſt obliged friend,

and faithful ſervant,

Gorhambury, this 3d of Feb. 1621.

FR. ST. ALBAN.

(*u*) Mr. Chamberlain, in a MS. letter to Sir Dudley Carleton, dated at London, January 19, 162½, mentions, that the Marquis of Buckingham had contracted with the Lord and Lady Wallingford, for *their houſe near Whitehall*, for ſome money.

JOHN

JOHN SELDEN, *Eſq*; *to the Lord Viſcount* ST. ALBAN.

My moſt honoured Lord,

AT your laſt going to Gorhambury, you were pleaſed to have ſpeech with me about ſome paſſages of parliament; touching which, I conceived, by your Lordſhip, that I ſhould have had farther direction by a gentleman, to whom you committed ſome care and conſideration of your Lordſhip's intentions therein. I can only give this account of it, that never was any man more willing or ready to do your Lordſhip ſervice, than myſelf; and in that you then ſpake of, I had been moſt forward to have done whatſoever I had been, by farther direction, uſed in. But I underſtood, that your Lordſhip's pleaſure that way was changed. Since, my Lord, I was adviſed with, touching the judgements given in the late parliament. For them (if it pleaſe your Lordſhip to hear my weak judgement expreſſed freely to you) I conceive thus. Firſt, that admitting it were no ſeſſion, but only a *convention*, as the proclamation calls it; yet the judgements given in the Upper Houſe (if no other reaſon be againſt them) are good; for they are given by the Lords, or the Upper Houſe, by virtue of that ordinary authority, which they have as the ſupreme court of judicature; which is eaſily to be conceived, without any relation to the matter of ſeſſion, which conſiſts only in the paſſing of acts, or not paſſing them, with the royal aſſent. And though no ſeſſion of the three ſtates together be without ſuch acts ſo paſſed; yet every part of the parliament ſeverally did its own acts legally enough to continue, as the acts of other courts of juſtice are done. And why ſhould any doubts be, but that a judgement out of the King's Bench, or Exchequer-Chamber, reverſed there,

had been good, although no ſeſſion? For there was truly a Parliament, truly an Upper Houſe (which exerciſed by itſelf this power of judicature) although no ſeſſion. Yet withall, my Lord, I doubt, it will fall out, upon fuller conſideration, to be thought a ſeſſion alſo. Were it not for the proclamation, I ſhould be clearly of that mind; neither doth the clauſe, in the act of ſubſidy, hinder it. For that only prevented the determination of the ſeſſion at that inſtant; but did not prevent the being of a ſeſſion, whenſoever the parliament ſhould be diſſolved. But becauſe that point was reſolved in the proclamation, and alſo in the commiſſion of diſſolution on the 8th of February, I will reſt ſatisfied.

But there are alſo examples of former times, that may direct us in that point of the judgement, in regard there is ſtore of judgements of parliament, eſpecially under Edward I. and Edward II. in ſuch conventions, as never had, for aught appears, any act paſſed in them.

Next, my Lord, I conceive thus; that by reaſon there is no record of thoſe judgements, it may be juſtly thought, that they are of no force. For thus it ſtands. The Lower Houſe exhibited the declarations in paper; and the Lords, receiving them, proceeded to judgement verbally; and the notes of their judgements are taken by the clerk, in the journal only; which, as I think, is no record of itſelf; neither was it ever uſed as one. Now the record, that in former times was of the judgements and proceedings there, was in this form. The accuſation was exhibited in parchment; and being ſo received, and indorſed, was the firſt record; and that remained filed among the bills of parliament, it being of itſelf as the bills in the King's Bench. Then out of this there was a formal judgement, with the accuſation entered into that roll, or ſecond record, which the clerk tranſcribes by ancient uſe, and ſends into the Chancery.

But

But in this caſe there are none of theſe: neither doth any thing ſeem to help to make a record of it, than only this, that the clerk may enter it, now after the parliament; which, I doubt, he cannot. Becauſe, although in other courts the clerks enter all, and make their records after the term; yet in this parliamentary proceeding it falls out, that the court being diſſolved, the clerk cannot be ſaid to have ſuch a relation to the parliament, which is not then at all in being, as the prothonotaries of the courts in Weſtminſter have to their courts, which ſtand only adjourned. Beſides, there cannot be an example found, by which it may appear, that ever any record of the firſt kind (where the tranſcript is into the Chancery) was made in parliament; but only ſitting the Houſe, and in their view. But this I offer to your Lordſhip's farther conſideration, deſiring your favourable cenſure of my fancy herein; which, with whatſoever ability I may pretend to, ſhall ever be deſirous to ſerve you, to whom I ſhall perpetually own myſelf

Your Lordſhip's moſt humble ſervant,

From the Temple,
February XIV.
CIↃDCXXI.

J. SELDEN.

My Lord,

IF your Lordſhip have done with that *Maſcardus de Interpretatione Statutorum* (*a*), I ſhall be glad, that you would give order, that I might uſe it. And for that of 12 *Hen.* 7, touching the grand council in the manuſcript, I have ſince ſeen a privy ſeal of the time of Henry 7. (without a year) directed to borrow for the King; and in it there is a recital of a grand coun-

(*a*) *Alderani Maſcardi communes concluſiones utriuſque juris ad generalem ſtatutorum interpretationem accommodatæ:* printed at Ferrara, in 1608.

cil,

cil, which thought, that ſuch a ſum was fit to be levied; whereof the Lords gave 40,000 l. and the reſt was to be gotten by privy ſeal upon loan. Doubtleſs, my Lord, this interprets that of the manuſcript ſtory.

On the back of this letter are the following notes by the Lord Viſcount St. Alban.

" The caſe of the judgement in parliament, upon " a writ of error put by Juſt. Hu. (*b*).

" The caſe of no judgement entered in the Court " of Augmentations, or Survey of firſt Fruits; which " are diſſolved, where there may be an entry after, " out of a paper-book.

" *Mem.* All the acts of my proceeding were after " the royal aſſent to the ſubſidy."

To Mr. TOBIE MATTHEW (*c*).

Good Mr. Matthew,

IN this ſolitude of friends, which is the baſe court (*d*) of adverſity, where almoſt no body will be ſeen ſtirring, I have often remembered a ſaying of my Lord Ambaſſador of Spain (*e*), *Amor ſin fin no tiene fin* (*f*). This moveth me to make choice of his excellent Lordſhip for his noble ſuccours towards not the aſpiring, but the reſpiring of my fortunes.

I, that am a man of books, have obſerved his Lordſhip to have the magnanimity of his own nation,

(*b*) Hutton.

(*c*) This, and the following letter of March 5, 161$\frac{1}{2}$, to the Marquis of Buckingham, are inſerted from the originals, much more complete and exact, than the copies of them printed in his works.

(*d*) *baſſe cour.*

(*e*) Count Gondomar, who returned to Spain about March, 162$\frac{1}{2}$.

(*f*) *Love without ends hath no end.*

and

and the cordiality of ours; and, by this time, I think he hath the wit of both. Sure I am, that for myſelf I have found him, in both my fortunes, to eſteem me ſo much above value, and to love me ſo much above poſſibility of deſerving, or obliging, on my part, as if he were a friend reſerved for ſuch a time as this. I have known his Lordſhip likewiſe (while I ſtood in a [illegible] where I might look about) a moſt faithful and reſpective friend to my Lord Marquis; who, next the King and the Prince, was my raiſer, and muſt be (he or none,) I do not ſay my reſtorer, but my reliever.

I have, as I made you acquainted at your being with me, a purpoſe to preſent my Lord Marquis with an offer of my houſe and lands here at Gorhambury; a thing, which, as it is the beſt means I have now left to demonſtrate my affection to his Lordſhip, ſo I hope it will be acceptable to him. This propoſition I deſire to put into no other hand but my Lord Ambaſſador's, as judging his hand to be the ſafeſt, the moſt honourable, and the moſt effectual for my good, if my Lord will be pleaſed to deal in it. And when I had thus reſolved, I never ſought, nor thought of any mean but yourſelf, being ſo private, faithful, and diſcreet a friend to us both. I deſire you therefore, good Mr. Matthew, to acquaint my Lord Ambaſſador with this overture; and both to uſe yourſelf, and deſire at his Lordſhip's hands ſecreſy therein; and withall to let his Lordſhip know, that in this buſineſs, whatſoever in particular you ſhall treat with him, I ſhall not fail, in all points, to make good and perform.

Commend my humble ſervice to his Lordſhip. I ever reſt

Your moſt affectionate and aſſured friend,

Gorhambury, Feb. 28, 1621. FR. ST. ALBAN.

To

To the Marquis of BUCKINGHAM.

My very good Lord,

THOUGH I have returned anſwer to your Lordſhip's laſt letter by the ſame way by which I received it; yet I humbly pray your Lordſhip to give me leave to add theſe few lines.

My Lord, as God above is witneſs, that I ever have loved and honoured your Lordſhip, as much, I think, as any ſon of Adam can love or honour any ſubject, and continue in as hearty and ſtrong wiſhes of felicity to be heaped and fixed upon you, as ever; ſo, as low as I am, I had rather ſojourn in a college in Cambridge, than recover a good fortune by any other but yourſelf. Marry, to recover yourſelf to me, if I have you not, or to eaſe your Lordſhip in any thing, wherein your Lordſhip would not ſo fully appear, or to be made participant of your favours in your own way, I would uſe any man, that were your Lordſhip's friend: and therefore, good my Lord, in that let me not be miſtaken. Secondly, if in any of my former letters I have given your Lordſhip any diſtaſte by the ſtyle of them, or any particular paſſages, I humbly pray your Lordſhip's benign conſtruction and pardon. For, I confeſs, it is my fault, though it be ſome happineſs to me withall, that I do moſt times forget my adverſity. But I ſhall never forget to be

Your Lordſhip's moſt obliged friend,

and faithful ſervant,

March 5, 1621.

FR. ST. ALBAN.

Fragments

Fragments of ſeveral kinds.

MY meaning was, if my Lord ſhould obtain for me, by his noble mediation, in conſideration of my ſervices paſt, and other reſpects, to do that, for my relief, which I was ſuitor for by my Lord's noble mediation, and whereof I was in good hope, to have preſented my Lord with Gorhambury in poſſeſſion, out of gratitude and love, for nothing.

My meaning was, if my Lord ſhould prevail for me in my ſuit to the King for reward of ſervices, and relief of my poor eſtate, to have preſented him with Gorhambury, out of gratitude and love, for nothing, except ſome ſatisfaction to my wife, for her intereſt.

If my Lord like better to proceed by way of bargain, ſo I find that I may but ſubſiſt, I will deſerve of his honour, and expreſs my love in a friendly penny-worth.

The third point to be added:

This as his work.] The more for kiſſing the King's hands preſently.

The reaſons, ſtalling my debts.

Willingneſs in my friends to help me.

None will be ſo bold as to oppreſs me.

The pretence, that the King would give me direction, in what nature of writings to expend my time.

The letter to expect yet, and the manner of the delivery.

That my Lord do not impute it, if he hear I deal with others; for he ſhall better perceive the value, and I ſhall make it good to his Lordſhip, being my ſtate requireth ſpeed.

To the Lord Viſcount ST. ALBAN.

May it pleaſe your Lordſhip

REMEMBRING, that the letter your Lordſhip put yeſterday into my hand was locked up under two or three ſeals, it ran in my head, that it might be buſineſs of importance, and require haſte: and not finding Mr. Matthew in town, nor any certainty of his return till Monday or Tueſday, I thought it became me to let your Lordſhip know it, that ſo I might receive your Lordſhip's pleaſure (if need were) to ſend it by as ſafe a hand, as if it had three ſeals more.

My Lord, I ſaw Sir Arthur Ingram, who let fall ſomewhat, as if he could have been contented to have received a letter by me from your Lordſhip, with ſomething in it like an acknowledgement to my Lord Treaſurer *(g)*, that by his means you had received a kind letter from my Lord Marquis. But, in the cloſe, he came about, and fell rather to excuſe what was left out of the letter, than to pleaſe himſelf much with what was within it. Only indeed he looked upon me, as if he did a little diſtruſt my good meaning in it. But that is all one to me; for I have been uſed to it, of late, from others, as well as from him. But perſons apt to be ſuſpicious may well be borne with; for certainly they trouble themſelves moſt, and loſe moſt by it. For of ſuch it is a hard queſtion, whether thoſe be feweſt, whom they truſt, or thoſe, who truſt them. But for him, and ſome others, I will end in a wiſh, that, as to your Lordſhip's ſervice, they might prove but half ſo much honeſter, as they think themſelves wiſer, than other men.

(g) Lionel, Lord Cranfield, made Lord Treaſurer in October, 1621.

It

It is doubtful, whether the King will come to-morrow, or not; for they ſay he is full of pain in his feet.

My Lord Marquis came late to town laſt night, and goeth back this evening: and Sir Edward Sackville watcheth an opportunity to ſpeak with him before he go. However, he wiſheth, that your Lordſhip would loſe no time in returning an anſwer, made all of ſweet-meats, to my Lord Marquis's letter, which, he is confident, will be both taſted and digeſted by him. And Sir Edward wiſheth, that the other letter to my Lord Marquis, for preſenting your diſcourſe of laws to his Majeſty, might follow the firſt. I humbly reſt

Your Lordſhip's for ever truly

to honour and ſerve you,

Martii 3, 1621.

THO. MEAUTYS.

To the Lord Viſcount ST. ALBAN.

May it pleaſe your Lordſhip,

I HAD not failed to appear this night, upon your Lordſhip's ſummons, but that my ſtay till to-morrow, I knew, would mend my welcome, by bringing Mr. Matthew, who means to dine with your Lordſhip only, and ſo to rebound back to London, by reaſon my Lord Digby's journey calls for him on the ſudden. Neither yet was this all, that ſtayed me; for I hear ſomewhat, that I like reaſonably well; and yet I hope it will mend too; which is, that my Lord Marquis hath ſent you a meſſage by my Lord of Falkland (which is a far better hand than my Lord Treaſurer's,) that gives you leave to come preſently to Highgate: and Sir Edward Sackville, ſpeaking for

the other five miles, my Lord commended his care and zeal for your Lordſhip, but ſilenced him thus: "Let my Lord be ruled by me: it will be never "the worſe for him." But my Lord Marquis ſaying farther to him, "Sir Edward, however you play "a good friend's part for my Lord St. Alban; yet "I muſt tell you, I have not been well uſed by him." And Sir Edward deſiring of him to ſpeak himſelf in whatſoever he might take offence at; and withall, taking upon him to have known ſo much, from time to time, of your Lordſhip's heart, and endeavours towards his Lordſhip, as that he doubted not but he was able to clear any miſt, that had been caſt before his Lordſhip's eyes by your enemies; my Lord Marquis, by this time being ready to go to the Spaniſh Ambaſſador's to dinner, broke off with Sir Edward, and told him, that after dinner he would be back at Wallingford-houſe, and then he would tell Sir Edward more of his mind; with whom I have had newly conference at large, and traced out to him, as he deſired me, ſome particulars of that, which they call a treaty with my Lord Treaſurer about York-houſe, which Sir Edward Sackville knows how to put together, and make a ſmooth tale of it for your Lordſhip; and this night I ſhall know all from him, and to-morrow, by dinner, I ſhall not fail to attend your Lordſhip: till when, and ever, I reſt

Your Lordſhip's in all truth
to honour and ſerve you,

T. MEAUTYS.

Indorſed, *Received March* 11.

To

To HENRY CARY, *Lord Viſcount* FALKLAND (*b*).

My very good Lord,

YOUR Lordſhip's letter was the beſt letter I received this good while, except the laſt kind letter from my Lord of Buckingham, which this confirmeth. It is the beſt accident, one of them, amongſt men, when they hap to be obliged to thoſe, whom naturally and perſonally they love, as I ever did your Lordſhip; in troth not many between my Lord Marquis and yourſelf; ſo that the ſparks of my affection ſhall ever reſt quick, under the aſhes of my fortune, to do you ſervice; and wiſhing to your fortune and family all good.

Your Lordſhip's moſt affectionate,

and much obliged, &c.

I pray your Lordſhip to preſent my humble ſervice and thanks to my Lord Marquis, to whom, when I have a little pauſed, I purpoſe to write; as likewiſe to his Majeſty, for whoſe health and happineſs, as his true beadſman, I moſt frequently pray.

Indorſed,

March 11. *Copy of my anſwer to Lord Falkland.*

(*b*) appointed Lord Deputy of Ireland, September 8, 1622.

To the LORD TREASURER(1).

My very good Lord,

I HAVE received, by my noble friend, my Lord Viſcount Falkland, advertiſement, as from my Lord Marquis, of three things; the one, that upon his Lordſhip's motion to his Majeſty, he is graciouſly pleaſed to grant ſome degree of releaſe of my confinement. The ſecond, that if I ſhall gratify your Lordſhip, who, my Lord underſtandeth, are deſirous to treat with me about my houſe at London, with the ſame, his Lordſhip will take it as well, as if it was done to himſelf. The third, that his Majeſty hath referred unto your Lordſhip the conſideration of the relief of my poor eſtate. I have it alſo from other part, yet by ſuch, as have taken it immediately from my Lord Marquis, that your Lordſhip hath done me to the King very good offices. My Lord, I am much bounden to you: wherefore if you ſhall be pleaſed to ſend Sir Arthur Ingram, who formerly moved me in it for your Lordſhip, to treat farther with me, I ſhall let your Lordſhip ſee how affectionately I am deſirous to pleaſure your Lordſhip after my Lord of Buckingham.

So wiſhing your Lordſhip's weighty affairs, for his Majeſty's ſervice, a happy return to his Majeſty's contentment, and your honour, I reſt

Your Lordſhip's very affectionate

to do you ſervice,

FR. ST. ALBAN.

Indorſed,

March 12. *To the Lord Treaſurer.*

(1) Lionel, Lord Cranfield.

To

To the LORD TREASURER.

My very good Lord,

THE honourable correſpondence, which your Lordſhip hath been pleaſed to hold with my noble and conſtant friend, my Lord Marquis, in furthering his Majeſty's grace towards me, as well concerning my liberty, as the conſideration of my poor eſtate, hath very much obliged me to your Lordſhip, the more by how much the leſs likelihood there is, that I ſhall be able to merit it at your Lordſhip's hands. Yet thus much I am glad of, that this courſe, your Lordſhip holds with me, doth carry his much upon itſelf, that the world ſhall ſee in this, amongſt other things, that you have a great and noble heart.

For the particular buſineſs of York-houſe, Sir Arthur Ingram can bear me witneſs, that I was ready to leave the conditions to your Lordſhip's own making: but ſince he tells me plainly, that your Lordſhip will by no means have to be ſo, you will give me leave to refer it to Sir Arthur Ingram, who is ſo much your Lordſhip's ſervant, and no leſs faithful friend to me, and underſtands values well, to ſet a price between us.

For the reference his Majeſty hath been graciouſly pleaſed, at my Lord Marquis's ſuit, to make unto your Lordſhip, touching the relief of my poor eſtate (*k*), which my Lord of Falkland's letter hath ſignified, warranting me likewiſe to addreſs myſelf to your Lordſhip touching the ſame; I humbly pray your Lordſhip to give it diſpatch, my age, health,

(*k*) The Lord Viſcount St. Alban, in a letter to the King, from Gorhambury, 20th of March, 162½, thanks his Majeſty for *referring the conſideration of his broken eſtate to his good Lord, the Lord Treaſurer.*

and fortunes, making time to me therein precious. Wherefore, if your Lordſhip (who knoweth beſt what the King may beſt do) have thought of any particular, I would deſire to know from your good Lordſhip: otherwiſe I have fallen myſelf upon a particular, which I have related to Sir Arthur, and, I hope, will ſeem modeſt, for my help to live and ſubſiſt. As for ſomewhat towards the paying off my debts, which are now my chief care, and without charge of the King's coffers, I will not now trouble your Lordſhip; but purpoſing to be at Chiſwick, where I have taken a houſe, within this ſevennight, I hope to wait upon your Lordſhip, and to gather ſome violets in your garden, and will then impart unto you, if I have thought of any thing of that nature for my good.

So I ever reſt &c.

THOMAS MEAUTYS, *Eſq*; *to the Lord Viſcount* ST. ALBAN.

May it pleaſe your Lordſhip,

I HAVE been attending upon my Lord Marquis's minutes for the ſigning of the warrant. This day he purpoſed in earneſt to have done it; but it falls out untowardly, for the warrant was drawn, as your Lordſhip remembers, in haſte at Gorhambury, and in as much haſte delivered to Sir Edward Sackville, as ſoon as I alighted from my horſe, who inſtantly put it into my Lord Marquis's hands, ſo that no copy could poſſibly be taken of it by me. Now his Lordſhip hath ſearched much for it, and is yet at a loſs, which I knew not till ſix this evening: and becauſe your Lordſhip drew it with caution, I dare not venture it upon my memory to carry level what your Lordſhip wrote, and therefore diſpatched away this meſſenger, that to your Lordſhip, by a freſh poſt,

(for

(for this will hardly do it) may ſend a warrant to your mind, ready drawn, to be here to-morrow by ſeven a clock, as Sir Arthur (*l*) tells me my Lord Marquis hath directed: for the King goes early to Hampton-Court, and will be here on Saturday.

Your books (*m*) are ready, and paſſing well bound up. If your Lordſhip's letters to the King, Prince, and my Lord Marquis were ready, I think it were good to loſe no time in their delivery; for the printer's fingers itch to be ſelling.

My Lady hath ſeen the houſe at Chiſwick, and may make a ſhift to like it: only ſhe means to come to your Lordſhip thither, and not to go firſt: and therefore your Lordſhip may pleaſe to make the more haſte, for the great Lords long to be in York-houſe.

Mr. Johnſon will be with your Lordſhip to-morrow; and then I ſhall write the reſt.

Your Lordſhip's in all humbleneſs
and honour to ſerve you.

To THOMAS MEAUTYS, *Eſq.*

Good Mr. Meautys,

FOR the difference of the warrant, it is not material at the firſt. But I may not ſtir till I have it; and therefore I expect it to-morrow.

For my Lord of London's (*n*) ſtay, there may be an error in my book (*o*); but I am ſure there is none in me, ſince the King had it three months by him, and allowed it: if there be any thing to be mended, it is better to be eſpied now than hereafter.

(*l*) Ingram. (*m*) *Hiſtory of the Reign of King Henry VII.*
(*n*) Dr. George Mountain.
(*o*) His *Hiſtory of the Reign of King Henry VII.*

I ſend you the copies of the three letters, which you have; and, in mine own opinion, this demur, as you term it, in my Lord of London, maketh it more neceſſary than before, that they were delivered, ſpecially in regard they contain withall my thanks. It may be ſignified they were ſent before I knew of any ſtay; and being but in thoſe three hands, they are private enough. But this I leave merely at your diſcretion, reſting

Your moſt affectionate and aſſured friend,

March 21, 1621.

FR. ST. ALBAN.

To Mr. TOBIE MATTHEW.

Good Mr. Matthew,

I DO make account, God willing, to be at Chiſwick on Saturday; or, becauſe this weather is terrible to one, that hath kept much in, Monday.

In my letter of thanks to my Lord Marquis, which is not yet delivered, but to be forthwith delivered, I have not forgotten to mention, that I have received ſignification of his noble favour and affection, amongſt other ways, from yourſelf, by name. If, upon your repair to the court (whereof I am right glad,) you have any ſpeech with the Marquis of me, I pray place the alphabet (as you can do it right well) in a frame, to expreſs my love faithful and ardent towards him. And for York-houſe, that whether in a ſtrait line, or a compaſs line, I meant it his Lordſhip in the way, which I thought might pleaſe him beſt. I ever reſt

Your moſt affectionate and aſſured friend,

March 21, 1621.

FR. ST. ALBAN.

Though

Though your journey to court be before your receit of this letter, yet it may ſerve for another time.

To the QUEEN *of* BOHEMIA.

It may pleaſe your Majeſty,

I FIND in books (and books I dare alledge to your Majeſty, in regard of your ſingular ability to read and judge of them even above your ſex) that it is accounted a great bliſs for a man to have leiſure with honour. That was never my fortune, nor is. For time was, I had honour without leiſure; and now I have leiſure without honour. And I cannot ſay ſo neither altogether, conſidering there remain with me the marks and ſtamp of the King's, your father's, grace, though I go not for ſo much in value, as I have done. But my deſire is now to have leiſure without loitering, and not to become an abbey-lubber, as the old proverb was, but to yield ſome fruit of my private life. Having therefore written the reign of your Majeſty's famous anceſtor, King Henry the Seventh; and it having paſſed the file of his Majeſty's judgement, and been graciouſly alſo accepted of the Prince, your brother, to whom it is dedicated, I could not forget my duty ſo far to your excellent Majeſty (to whom, for that I know and have heard, I have been at all times ſo much bound, as you are ever preſent with me, both in affection and admiration) as not to make unto you, in all humbleneſs, a preſent thereof, as now being not able to give you tribute of any ſervice. If King Henry the Seventh were alive again, I hope verily he could not be ſo angry with me for not flattering him, as well-pleaſed in ſeeing himſelf ſo truly deſcribed in colours, that will laſt, and be believed. I moſt humbly pray your Majeſty graciouſly to accept of my good will; and ſo, with all reverence,

reverence, kiſs your hands, praying to God above, by his divine and moſt benign providence, to conduct your affairs to happy iſſue; and reſting

Your Majeſty's moſt humble
and devoted ſervant,

April 20, 1622.

FR. ST. ALBAN.

Sir EDWARD SACKVILLE *to the Lord Viſcount* ST. ALBAN.

My very honoured Lord,

LONGING to yield an account of my ſtewardſhip, and that I had not buried your talent in the ground, I waited yeſterday the Marquis's pleaſure, untill I found a fit opportunity to importune ſome return of his Lordſhip's reſolution. The morning could not afford it; for time only allowed leave to tell him, I would ſay ſomething. In the afternoon I had amends for all. In the forenoon he laid the law, but in the afternoon he preached the goſpel; when, after ſome revivations of the old diſtaſte concerning York-houſe, he moſt nobly opened his heart unto me, wherein I read that, which argued much good towards you. After which revelation, the book was again ſealed up, and muſt, in his own time, only by himſelf be again manifeſted unto you. I have leave to remember ſome of the viſion, and am not forbidden to write it. He vowed, not court-like, but conſtantly, to appear your friend ſo much, as if his Majeſty ſhould abandon the care of you, you ſhould ſhare his fortune with him. He pleaſed to tell me, how much he had been beholden to you; how well he loved you; how unkindly he took the denial of your houſe (for ſo he will needs underſtand it.) But the cloſe, for all this,

was harmonious, ſince he proteſted he would ſeriouſly begin to ſtudy your ends, now that the world ſhould ſee he had no ends on you. He is in hand with the work, and therefore will, by no means, accept of your offer; though, I can aſſure you, the tender hath much won upon him, and mellowed his heart towards you; and your genius directed you right, when you wrote that letter of denial unto the Duke (*p*). The King ſaw it; and all the reſt; which made him ſay unto the Marquis, you played an after-game well; and that now he had no reaſon to be much offended.

I have already talked of the revelation, and now am to ſpeak in apocalyptical language, which I hope you will rightly comment; whereof, if you make difficulty, the bearer (*q*) can help you with the key of the cypher.

My Lord Falkland, by this time, hath ſhewed you London from Highgate. If York-houſe were gone, the town were your's; and all your ſtraiteſt ſhackles cleared off, beſides more comfort than the city-air only. The Marquis would be exceedingly glad the Treaſurer had it. This I know; but this you muſt not know from me. Bargain with him preſently, upon as good conditions as you can procure, ſo you have direct motion from the Marquis to let him have it. Seem not to dive into the ſecret of it; though you are purblind, if you ſee not through it. I have told Mr. Meautys, how I would wiſh your Lordſhip to make an end of it. From him, I beſeech you, take it, and from me only the advice to perform it. If you part not ſpeedily with it, you may defer the good, which is approaching near you, and diſappointing other aims (which muſt either ſhortly receive content, or never,) perhaps anew yield matter of diſcontent, though you may be indeed

(*p*) of Lenox, of the 30th of January, 162½.
(*q*) Probably Mr. Meautys.

as

as innocent as before. Make the Treaſurer believe, that ſince the Marquis will by no means accept of it, and that you muſt part with it, you are more willing to pleaſure him, than any body elſe, becauſe you are given to underſtand my Lord Marquis ſo inclines; which inclination, if the Treaſurer ſhortly ſend unto you about it, deſire may be more clearly manifeſted, than as yet it hath been; ſince, as I remember, none hitherto hath told you *in terminis terminantibus*, that the Marquis deſires you ſhould gratify the Treaſurer. I know that way the hare runs; and that my Lord Marquis longs untill Cranfield hath it; and ſo I wiſh too, for your good, yet would not it were abſolutely paſſed, untill my Lord Marquis did ſend, or write, unto you, to let him have it; for then, his ſo diſpoſing of it were but the next degree removed from the immediate acceptance of it, and your Lordſhip freed from doing it otherwiſe than to pleaſe him, and to comply with his own will and way.

I have no more to ſay, but that I am, and ever will be

Your Lordſhip's moſt affectionate friend,

and humble ſervant,

E. SACKVILLE.

Indorſed, *Received the 11th of May*, 1622.

To the LORD KEEPER, *Dr.* WILLIAMS, *Biſhop of Lincoln.*

My very good Lord,

I UNDERSTAND, there is an extent prayed againſt me, and a ſurety of mine, by the executors of one [illegible], a goldſmith. The ſtatute is twelve

twelve years old, and falleth to an executor, or an executor of an executor, I know not whether. And it was ſure a ſtatute collected out of a ſhop-debt, and much of it paid. I humbly pray your Lordſhip, according to juſtice and equity, to ſtay the extent, being likewiſe upon a double penalty, till I may better inform myſelf touching a matter ſo long paſt; and, if it be requiſite, put in a bill, that the truth of the account appearing, ſuch ſatisfaction may be made, as ſhall be fit. So I reſt

Your Lordſhip's affectionate

to do you faithful ſervice,

May 30, 1622.

FR. ST. ALBAN.

To the Marquis of BUCKINGHAM (*w*).

My very good Lord,

I THOUGHT it appertained to my duty, both as a ſubject, and as he, that took once the oath of a Counſellor, to make known to your Lordſhip an advertiſement, which came to me this morning. A gentleman, a dear friend of mine, whom your Lordſhip cannot but imagine, though I name him not, told me thus much, that ſome Engliſh prieſts, that negotiated at Rome to facilitate the diſpenſation, did their own buſineſs (that was his phraſe;) for they negotiated with the Pope to erect ſome titulary Biſhops for England, that might ordain, and have other ſpiritual faculties; ſaying withall moſt honeſtly, that he thought himſelf bound to impart this to ſome Counſellor, both as a loyal ſubject, and as a Catholic; for that he doubted it might be a cauſe to croſs the graces and mercies, which the Catholics now enjoy, if it be not prevented: and he aſked my advice, whether

whether he ſhould make it known to your Lordſhip, or to my Lord Keeper (*r*), when he came back to London. I commended his loyalty and diſcretion, and wiſhed him to addreſs himſelf to your Lordſhip, who might communicate it with my Lord Keeper, if you ſaw cauſe, and that he repaired to your Lordſhip preſently, which he reſolved to do. Nevertheleſs, I did not think mine own particular duty acquitted, except I certified it alſo myſelf, borrowing ſo much of private friendſhip in a cauſe of ſtate, as not to tell him I would do ſo much.

Indorſed,

My letter to my Lord Marquis, touching the buſineſs of eſtate advertiſed by Mr. Matthew (*s*).

To the Lord Viſcount ST. ALBAN.

My moſt honoured Lord,

I Come in theſe to your Lordſhip with the voice of thankſgiving, for the continuance of your accuſtomed noble care of me and my good, which overtakes me, I find, whitherſoever I go. But for the preſent itſelf (whereof your Lordſhip writes,) whether or no it be better than that I was wont to bring your

(*r*) Dr. Williams, Biſhop of Lincoln.

(*s*) The date of this letter may be pretty nearly determined by one of the Lord Keeper to the Marquis of Buckingham, dated Auguſt 23, 1622, and printed in the *Cabala*. The poſtſcript to that letter is as follows: "The Spaniſh Ambaſſador "took the alarm very ſpeedily of the titulary Roman Biſhop; "and before my departure from his houſe at Iſlington, whither "I went privately to him, did write both to Rome and Spain to "prevent it. But I am afraid, that Tobie will prove but an "apocryphal, and no canonical, intelligencer, acquainting the "ſtate with this project for the Jeſuits, rather than for Jeſus's "ſake."

Lordſhip,

Lordſhip, the end only can prove. For I have yet no more to ſhew for it, than good words, of which many times I brought your Lordſhip good ſtore. But becauſe *modicefideans* were not made to thrive in court, I mean to loſe no time from aſſailing my Lord Marquis, for which purpoſe I am now hovering about New-hall (*t*), where his Lordſhip is expected (but not the King) this day, or to-morrow: which place, as your Lordſhip adviſeth, may not be ill choſen for my buſineſs. For, if his Lordſhip be not very thick of hearing, ſure New-hall will be heard to ſpeak for me.

And now, my good Lord, if any thing make me diffident, or indeed almoſt indifferent, how it ſucceeds, it is this; that my ſole ambition having ever been, and ſtill is, to grow up only under your Lordſhip, it is become prepoſterous, even to my nature and habit, to think of proſpering, or receiving any growth, either without, or beſides your Lordſhip. And therefore let me claim of your Lordſhip to do me this right, as to believe that, which my heart ſays, or rather ſwears, to me, namely, that what addition ſoever, by God's good providence, comes at any time to my life or fortune, it is, in my account, but to enable me the more to ſerve your Lordſhip in both; at whoſe feet I ſhall ever humbly lay down all, that I have, or am, never to riſe thence other than

Your Lordſhip's in all duty
and reverent affections,

September 11, 1622.

T. MEAUTYS.

(*t*) In Eſſex.

To

To the Counteſs of BUCKINGHAM (*u*), *mother to the Marquis of* BUCKINGHAM.

My very honourable good Lady,

YOUR Ladyſhip's late favour and noble uſage towards me were ſuch, as I think your abſence a great part of my misfortunes. And the more I find my moſt noble Lord, your ſon, to increaſe in favour towards me, the more, out of my love to him, I wiſh he had often by him ſo loving and wiſe a mother. For, if my Lord were never ſo wiſe, as wiſe as Solomon; yet, I find, that Solomon himſelf, in the end of his Proverbs, ſets down a whole chapter of advices, that his mother taught him.

Madam, I can but receive your remembrance with affection, and uſe your name with honour, and intend you my beſt ſervice, if I be able, ever reſting

Your Ladyſhip's humble
and affectionate ſervant,

Bedford-houſe, this 29th of October, 1622.

FR. ST. ALBAN.

(*u*) Mary, daughter of Anthony Beaumont, a younger ſon of William Beaumont of Cole-Orton in Leiceſterſhire. She was thrice married: 1. to Sir George Villiers, father of the Duke of Buckingham: 2. to Sir William Rayner: and 3. to Sir Thomas Compton, Knight of the Bath, a younger brother of William, Earl of Northampton. She was created Counteſs of Buckingham, July 1, 1618; and died April 19, 1632.

To

To the Marquis of BUCKINGHAM.

My very good Lord,

I HAVE many things to thank your Lordſhip for, ſince I had the happineſs to ſee you; that your Lordſhip, before your going out of town, ſent my memorial to my Lord Treaſurer: that your Lordſhip offered, and received, and preſented my petition to the King, and procured me a reference: that your Lordſhip moved his Majeſty, and obtained for me acceſs to him, againſt his Majeſty comes next, which, in mine own opinion, is better than if it had been now, and will be a great comfort to me, though I ſhould die next day after: that your Lordſhip gave me ſo good Engliſh for my Latin book. My humble requeſt is, at this time, that becauſe my Lord Treaſurer keepeth yet his anſwer in ſuſpenſe (though by one, he uſeth to me, he ſpeaketh me fair,) that your Lordſhip would nick it with a word: for if he do me good, I doubt it may not be altogether of his own.

God ever proſper you.

Your Lordſhip's moſt bounden
and faithful ſervant,

4th of November, 1622.

FR. ST. ALBAN.

Memorial of Acceſs (*w*).

It may pleaſe your Majeſty,

I MAY now in a manner ſing, *nunc dimittis*, now I have ſeen you. Before methought I was ſcant

(*w*) This paper was written in Greek characters, ſoon after his acceſs to King James I, which had been promiſed him in a letter of the Marquis of Buckingham, from Newmarket, November 13, 1622.

in ſtate of grace, but in a kind of utter darkneſs. And therefore, among other your mercies and favours, I do principally thank your Majeſty for this admiſſion of me to kiſs your hands.

I may not forget alſo to thank your Majeſty for your remiſſion of my fine, for granting of my *quietus*, and general pardon; and your late recommendation of my debts; favours not ſmall, ſpecially to a ſervant out of ſight, and out of uſe.

I beſeech your Majeſty to give me leave to tell you what had, in my misfortunes, ſuſtained me. Ariſtotle ſays, *old men live by remembrance, young men by hope.* And ſo it is true, that young men live by hope, and fallen men by remembrance. Two remembrances have ſuſtained me: the one, that ſince I had the prime vote in the Lower Houſe, to be firſt Commiſſioner for the union, untill the laſt aſſembly of parliament, I was choſen Meſſenger of both Houſes, in the petitions of religion (which were my two firſt, and laſt ſervices,) having paſt a number of ſervices of importance, your Majeſty never chid me; neither did ever any public ſervice miſcarry in my hands. This was the finiſhing act of my proſperity. The ſecond was of my adverſity, which, in few words, is this, that as my fault was not againſt your Majeſty; ſo my fall was not your act; and therefore I hope I ſhall live and die in your favour.

I have this farther to ſay in the nature of an humble oblation; for things once dedicated and vowed cannot loſe their character, nor be made common. I ever vowed myſelf to your ſervice. Therefore,

Firſt, if your Majeſty do at any time think it fit, for your affairs, to employ me again publicly upon the ſtage, I ſhall ſo live and ſpend my time, as neither diſcontinuance ſhall diſable me, nor adverſity ſhall diſcourage me, nor any thing, that I ſhall do, give any ſcandal or envy upon me.

Secondly,

Secondly, if your Majeſty ſhall not hold that fit; yet, if it ſhall pleaſe you at any time to aſk my opinion, or require my propoſitions privately by my Lord Marquis, or any of your Counſellors, that is my friend, touching any commiſſion or buſineſs; for, as Ovid ſaid; *Eſt aliquid luce patente minus*; I ſhall be glad to be a labourer, or pioneer in your ſervice.

Laſtly, and chiefly, becauſe your Majeſty is an univerſal ſcholar, or rather maſter, and my pen (as I may * it, paſſed * *) gained upon the world, your Majeſty would appoint me ſome taſk, or literary province, that I may ſerve you *calamo*, if not *conſilio*.

I know, that I am cenſured of ſome conceit of mine ability, or worth: but, I pray your Majeſty, impute it to deſire *(poſſunt quia poſſe videntur.)* And again, I ſhould do ſome wrong to your Majeſty's ſchool, if, in ſixteen years acceſs and near ſervice, I ſhould think I had learned, or laid in, nothing.

May it pleaſe your Majeſty, I have borne your image in metal; and I ſhall keep it in my heart, while I live.

That his Majeſty's buſineſs never miſcarried in my hands, I do not impute to any extraordinary ability in myſelf; but to my freedom from particular, either friends, or ends, and my careful receit of his Majeſty's directions, being, as I have formerly ſaid to him, but as a bucket and ciſtern to that fountain; a bucket to draw forth, a ciſtern to preſerve.

I may allude to the three petitions of the Litany, *Libera nos, Domine*; *parce mihi, Domine*; *et exaudi nos, Domine.* Firſt, the firſt, I am perſuaded, his Majeſty had a mind to do it, and could not conveniently, in reſpect of his affairs. For the ſecond, he had done it in my fine and pardon. For the third, I had likewiſe performed, in reſtoring to the light of his countenance.

There be mountebanks, as well in the civil body, as in the natural. I ever ſerved his Majeſty with modeſty; no ſhouldering, no undertaking.

Seneca ſaith *Tam otii debet conſtare ratio quam negotii.* So I make his Majeſty oblation of both.

For envy, it is an almanack of the laſt year; and, as a friend of mine ſaid, the parliament died penitent towards me.

Of my offences, far be it from me to ſay, *dat veniam corvis; vexat cenſura Columbas:* But I will ſay that I have good warrant for; *they were not the greateſt offenders in Iſrael, upon whom the wall of Shilo fell.*

What the King beſtowed upon me, will be farther ſeen, than upon Paul's ſteeple.

My ſtory is proud. I may thank your Majeſty; for I heard him note of Taſſo, that he could know which poem he made, when he was in good condition, and which when he was a beggar. I doubt he could make no ſuch obſervation of me.

My Lord hath done many things to ſhew his greatneſs. This of mine is one of them, that ſhews his goodneſs.

I am like ground freſh. If I be left to myſelf, I will grow, and bear natural philoſophy: but if the King will plow me up again, and ſow me on, I hope to give him ſome yield.

Kings do raiſe and pull down with reaſon; but the greateſt work is reaſoning.

For my hap, I ſeek an *otium*, and, if it may be, a fat *otium*.

I am ſaid to have a feather in my head. I pray God ſome are not wild in their head, that gird not well.

I am too old, and the ſeas are too long, for me to double the Cape of Good Hope.

Aſhes are good for ſomewhat; for lees, for ſalts. But I hope I am rather embers than aſhes, having the heat of good affections, under the aſhes of my fortunes.

Your Majeſty hath power: I have faith. Therefore a miracle may be ſoon wrought.

I would

I would live to ſtudy, and not ſtudy to live; yet I am prepared for *date obolum Bellifario*; and I that have borne a bag, can bear a wallet.

For my Pen:

If active, 1. The reconciling of laws.
2. The diſpoſing of wards, and generally education of youth.
3. Limiting the juriſdiction of courts, and preſcribing rules for every of them.

Reglement of Trade.

If contemplative, 1. Going on with the ſtory of Henry the Eighth.
2. General treatiſe of *de Legibus et Juſtitiâ.*
3. The Holy War.

For my Lord of Buckingham.

Theſe I rank high amongſt his favours.

To the King of * * * that the goodneſs of his nature may ſtrive with the goodneſs of his fortune.

He had but one fault, and that is, that you cannot mar him with any accumulating of honours upon him.

Now after this ſun-ſhine, and little dew, that ſave war.

Whales will overturn your boat, or bark, or of Admiral, or other.

For the Prince.

Ever my chief patron.

The work of the father is creation; of the ſon redemption.

You would have drawn me out of the fire; now out of the mire.

To aſk leave of the King to kiſs the Prince's hands, if he be not now preſent.

Indorſed, *Mem. of acceſs.*

To the Lord Viſcount ST. ALBAN.

My moſt honoured Lord,

SINCE my laſt to your Lordſhip, I find, by Mr. Johnſon, that my Lord Treaſurer is not twice in one mind, or Sir Arthur Ingram not twice in one tale. For Sir Arthur, contrary to his ſpeech but yeſterday with me, puts himſelf now, as it ſeems, in new hopes to prevail with my Lord Treaſurer for your Lordſhip's good and advantage, by a propoſition, ſent by Mr. Johnſon, for the altering of your patent to a new mould, more ſafe than the other, which he ſeemed to diſſuade, as I wrote to your Lordſhip. I like my Lord Treaſurer's heart to your Lordſhip, ſo much every day worſe than other, eſpecially for his coarſe uſage of your Lordſhip's name in his laſt ſpeech, as that I cannot imagine he means you any good. And therefore, good my Lord, what directions you ſhall give herein to Sir Arthur Ingram, let them be as ſafe ones, as you can think upon; and that your Lordſhip ſurrender not your old patent, till you have the new under ſeal, leſt my Lord Keeper ſhould take toy, and ſtop it there. And I know your Lordſhip cannot forget they have ſuch a ſavage word among them, as *fleecing*. God in heaven bleſs your Lordſhip from ſuch hands and tongues; and then things will mend of themſelves.

Your Lordſhip's, in all humbleneſs,

to honour and ſerve you,

This Sunday morning.

T. MEAUTYS.

Indorſed, *25th of November* [1622].

To

To the Marquis of BUCKINGHAM.

My very good Lord,

I FIND my Lord Treaſurer, after ſo many days, and appointments, and ſuch certain meſſages and promiſes, doth but mean to coax me (it is his own word of old) and to ſaw me aſunder, and to do juſt nothing upon his Majeſty's gracious reference, nobly procured by your Lordſhip for this poor remnant. My Lord, let it be your own deed; and, to uſe the prayers of the Litany, good Lord deliver me from this ſervile dependance; for I had rather beg and ſtarve, than be fed at that door.

God ever proſper your Lordſhip.

Your Lordſhip's moſt bounden
and faithful ſervant,

Bedford-houſe, this

FR. ST. ALBAN.

Indorſed,

To Buckingham, about Lord Treaſurer Cranfield's uſing of him.

Remembrances of the Lord Viſcount ST. ALBAN, *upon his going to the Lord Treaſurer* (*x*).

My Lord,

FOR paſt matters, they are memorial with me. I thank God I am ſo far from thinking to retrieve a fortune, as I did not mark where the game fell. I aſcribe all to Providence. Your Lordſhip hath greatneſs; and I hope you will line it with good-

(*x*) Theſe are written in Greek characters.

neſs. Of me you can have no uſe; but you may have honour by me, in uſing me well; for my fortune is much in your hands.

For Sir G. I heard by Sir Arthur (y), you thought well of my dealing to him; for ſo Ingram told me. But I doubt he reported ſomewhat amiſs of me, that procured that warrant; ſince which he thinks he may bring me to his own conditions, never comes to me, flies from that he had agreed; ſo to conclude with the letter upon even terms.

For the King, I muſt ſubmit. Ingram told me there ſhould be a favour in it, till I might ſue to the King.

The ſequeſtration as much as a reſumption; for if it be as in the King's hands, all will go back; ſo it requires a farmer.

My penſion and that the rewards of my long ſervice, and relief of my preſent means. In parliament he ſaid, he would not have me know what want meant.

LA. B. (z),

OF York-houſe garden:
Of New-hall:
Of my being with my Lord Treaſurer:
Of my buſineſs.
It is well begun: I deſire it may be your act.
It is nothing out of the King's purſe: it laid fair a third part of the profit.
The King beſtows honour upon reward, one honour upon alms and charity.
Time, I hope, will work this, or a better.
I know my Lord will not forſake me.

(y) Ingram. (z) Lady Buckingham, mother of the Duke.

He

He can have but one mother. Friends wayfarers, ſome to Waltham, ſome to Ware, and where the ways part, farewell.

I do not deſire to ſtage myſelf, nor pretenſions, but for the comfort of a private life. Yet will I be ever at your and the King's call. Malcontent, or buſy-body, I ſcorn to be.

Though my Lord ſhall have no uſe of me, yet he ſhall have honour by me.

For envy, the almanack of that year, is paſt.

You may obſerve laſt parliament, though an high-aiming parliament, yet not a petition, not a clamour, not a motion, not a mention of me. Viſitations by all the noblemen about the town.

A little will make me happy: the debts I have paid.

I ſhall honour my Lord with pen and words; and be ready to give him faithful and free counſel, as ready, as when I had the ſeal; and mine ever *ſuavibus modis* for ſafety, as well as for greatneſs.

The King and the Prince, I hear for certain, well-affected.

To dine with:

To go to New-hall.

To the Marquis of BUCKINGHAM.

Excellent Lord,

I PERCEIVE this day, by Mr. Comptroller (*a*), that I live continually in your Lordſhip's remembrance, and noble purpoſes concerning my fortunes, as well for the comfort of my eſtate, as for countenancing me otherwiſe by his Majeſty's employments and graces; for which I moſt humbly kiſs your

(*a*) Henry Cary, Viſcount Falkland.

hands,

hands, leaving the times to your good Lordſhip; which, conſidering my age and wants, I aſſure myſelf, your Lordſhip will the ſooner take into your care. And for my houſe at Gorhambury, I do infinitely deſire your Lordſhip ſhould have it; and howſoever I may treat, I will conclude with none, till I know your Lordſhip's farther pleaſure, ever reſting

Your Lordſhip's moſt obliged,

and faithful ſervant,

Bedford-houſe, this 5th of Feb. 1622 (*b*).

FR. ST. ALBAN.

To the Lord Viſcount ST. ALBAN.

My very good Lord,

I Have received, by this bearer, the privy ſeal for the ſurvey of coals, which I will lay aſide, untill I ſhall hear farther from my Lord Steward (*c*), and the reſt of the Lords.

I am ready to do as much as your Lordſhip deſireth, in keeping Mr. Cotton (*d*) off from the violence of thoſe creditors: only himſelf is, as yet, wanting in ſome particular directions.

I heartily thank your Lordſhip for your book; and all other ſymbols of your love and affection,

(*b*) two days before the Marquis of Buckingham ſet out privately, with the Prince, for Spain. (*c*) Duke of Lenox.

(*d*) probably the ſurety of Lord Bacon, for the debt to Harris the goldſmith, mentioned in his Lordſhip's letter of May 30, 1622.

which I will endeavour, upon all opportunities, to deſerve: and, in the mean time, do reſt

Your Lordſhip's aſſured faithful

poor friend and ſervant,

Weſtminſter-college, this 7th of February, 1622.

Jo. LINCOLN, *C. S.*

To the Right Honourable his very good Lord, the Lord Viſcount St. Alban.

To the Marquis of BUCKINGHAM.

Excellent Lord,

THOUGH your Lordſhip's abſence *(f)* fall out in an ill time for myſelf; yet becauſe I hope in God this noble adventure will make your Lordſhip a rich return in honour, abroad and at home, and chiefly in the ineſtimable treaſure of the love and truſt of that thrice-excellent Prince; I confeſs I am ſo glad of it, as I could not abſtain from your Lordſhip's trouble in ſeeing it expreſſed by theſe few and haſty lines.

I beſeech your Lordſhip, of your nobleneſs vouchſafe to preſent my moſt humble duty to his Highneſs, who, I hope, ere long will make me leave King Henry the Eighth, and ſet me on work in relation of his Highneſs's adventures.

I very humbly kiſs your Lordſhip's hands, reſting ever

Your Lordſhip's moſt obliged friend and ſervant,

February 21, 1622.

(f) in Spain.

To

To the Marquis of BUCKINGHAM.

Excellent Lord,

UPON the repair of my Lord of 'Rochford unto your Lordſhip, whom I have ever known ſo faſt and true a friend and ſervant unto you; and who knows likewiſe ſo much of my mind and affection towards your Lordſhip, I could not but kiſs your Lordſhip's hands, by the duty of theſe few lines.

My Lord, I hope in God, that this your noble adventure will make you a rich return, eſpecially in the ineſtimable treaſure of the love and truſt of that thrice-excellent Prince. And although to a man, that loves your Lordſhip ſo dearly, as I do, and knows ſomewhat of the world, it cannot be, but that in my thoughts there ſhould ariſe many fears, or ſhadows of fears, concerning ſo rare an accident; yet nevertheleſs, I believe well, that this your Lordſhip's abſence will rather be a glaſs unto you, to ſhew you many things, whereof you may make uſe hereafter, than otherwiſe any hurt or hazard to your fortunes, which God grant. For myſelf, I am but a man deſolate till your return, and have taken a courſe accordingly. Vouchſafe, of your nobleneſs, to remember my moſt humble duty to his Highneſs. And ſo God, and his holy angels, guard you, both going and coming.

Indorſed, *March* 10, 1622.

To Sir FRANCIS COTTINGTON, *Secretary to the Prince.*

Good Mr. Secretary,

THOUGH I wrote ſo lately unto you, by my Lord Rochford; yet, upon the going of my Lord Vaughan (*g*), the Prince's worthy and truſty ſervant, and my approved friend, and your ſo near ally, I could not but put this letter into his hand, commending myſelf and my fortunes unto you. You know the difference of obliging men in proſperity and adverſity, as much as the ſowing upon a pavement and upon a furrow new made. Myſelf for quiet, and the better to hold out, am retired to Grey's Inn (*h*): for when my chief friends were gone ſo far off, it was time for me to go to a cell. God ſend us a good return of you all.

I ever reſt &c.

My humble ſervice to my Lord Marquis, to whom I have written twice. I would not cloy him. My ſervice alſo to the Count Gondomar, and Lord of Briſtol.

Indorſed,

To Mr. Secretary, Sir Francis Cottington, March 22, 1622.

(*g*) He was ſon and heir of Walter Vaughan, of Golden Grove, in Caermarthenſhire, Eſq; and was created Lord Vaughan in the year 1620. The Lord St. Alban, after he was delivered from his confinement in the Tower, was permitted to ſtay at Sir John Vaughan's houſe at Parſon's Green, near Fulham.

(*h*) In a MS. letter of Mr. Chamberlain to Sir Dudley Carleton, dated at London, March 8, 162$\frac{2}{3}$, is the following paſſage: "The Lord of St. Alban is in his old remitter, and came to "lie in his old lodgings at Grey's Inn: which is the fulfilling "of a prophecy of one Locke, a familiar of his, of the ſame "houſe, that knew him *intus et in cute*; who, ſeeing him go "thence in pomp, with the great ſeal before him, ſaid to divers "of his friends, *we ſhall live to have him here again.*"

To

To the KING.

It may pleaſe your Majeſty,

NOW that my friend is abſent (for ſo I may call him ſtill, ſince your Majeſty, when I waited on you, told me, that fortune made no difference) your Majeſty remaineth to me King, and maſter, and friend, and all. Your Beadſman therefore addreſſeth himſelf to your Majeſty for a cell to retire into. The particular I have expreſſed to my very friend, Mr. Secretary Conway. This help, which coſts your Majeſty nothing, may reſerve me to do your Majeſty ſervice, without being chargeable unto you: for I will never deny, but my deſire to ſerve your Majeſty is of the nature of the heart, that will be *ultimum moriens* with me.

God preſerve your Majeſty, and ſend you a good return of the treaſure abroad, which paſſeth all Indian fleets.

Your Majeſty's moſt humble
and devoted ſervant,

March 25, 1623.

FR. ST. ALBAN.

Indorſed,

To the King touching the provoſtſhip of Eton (*i*).

To Mr. Secretary CONWAY.

Good Mr. Secretary,

WHEN you did me the honour and favour to viſit me, you did not only in general terms expreſs your love unto me, but, as a real friend,

(*i*) Mr. Thomas Murray, the Provoſt of that college, having been cut for the ſtone, died April 1, 1623.

aſked

aſked me, whether I had any particular occaſion, wherein I might make uſe of you? At that time I had none; now there is one fallen. It is, that Mr. Thomas Murray, Provoſt of Eton (whom I love very well) is like to die. It were a pretty cell for my fortune. The college and ſchool, I do not doubt, but I ſhall make to flouriſh. His Majeſty, when I waited on him, took notice of my wants, and ſaid to me, that, as he was a King, he would have care of me. This is a thing ſomebody would have; and coſts his Majeſty nothing. I have written two or three words to his Majeſty, which I would pray you to deliver. I have not expreſſed this particular to his Majeſty, but referred it to your relation. My moſt noble friend, the Marquis, is now abſent. Next to him I could not think of a better addreſs than to yourſelf, as one likeſt to put on his affection. I reſt

Your Honour's very affectionate friend,

Grey's Inn, the 25th of March, 1623. FR. ST. ALBAN (*k*).

(*k*) To this letter Secretary Conway wrote an anſwer, acquainting the Lord Viſcount St. Alban, that the King could not value his Lordſhip ſo little, or conceive, that he limited his deſires ſo low; in which, however, he ſhould have been gratified, had not the King been engaged, by the Marquis of Buckingham, for Sir William Becher, his agent in France. See *Account of the Life of the Lord Bacon*, p. xxvi, prefixed to the edition of his *Letters, Memoirs, &c.* by Robert Stephens, Eſq. The Duke of Buckingham himſelf likewiſe, after his return from Spain, in a letter to the Lord Viſcount St. Alban, dated at Hinchinbrook, October 27, 1623, expreſſes his concern, that he could do his Lordſhip no ſervice in that affair, "having engaged "myſelf, *ſays he*, to Sir William Becher, before my going into "Spain; ſo that I cannot free myſelf, unleſs there were means "to give him ſatisfaction."

To

To Count GONDOMAR, *then in Spain.*

Illuſtriſſime Comes,

MULTA ſunt, quæ mihi animos addunt, & quandam alacritatem conciliant, ut Dominationem tuam illuſtriſſimam hoc tempore de meis fortunis compellam et deprecer. Primum, idque vel maximum, quod cum tam arcta regum noſtrorum conjunctio jam habeatur pro tranſactâ, inde et tu factus ſis interceſſor tanto potentior; et mihi nullus jam ſubſit ſcrupulus univerſas fortunas meas viro tanto, licet extero, debendi et acceptas referendi. Secundum, quod cum ea, quæ Dominatio tua illuſtriſſima de me promiſſo tenus præſens impetraveras, neque ullam repulſam paſſa ſint, neque tamen ad exitum perducta; videatur hoc innuere providentia divina, ut hoc opus me à calamitate eximendi planè tuum ſit initio et fine. Tertium, quod ſtellæ duæ, quæ mihi ſemper fuerunt propitiæ, major et minor, jam ſplendent in urbe veſtra, unde per radios auxiliares et benignos ameris erga me tui eum poſſint nanciſci influxum, qui me in aliquo non indigno priore fortuna gradu collocet. Quartum, quod perſpexi ex literis, quas ad amicum meum intimum Dominum Tobium Matthæum nuper ſcripſiſti, memoriam mei apud te vivere et vigere, neque tantâ negotiorum arduorum et ſublimium mole, quanta Dom. tuæ incumbit, obrutam eſſe aut extinctam. Poſtremum accidit et illud, quod poſtquam ex favore excellent. Domini Marchionis ad Regis mei conſpectum et colloquium admiſſus fuerim, videar mihi in ſtatu gratiæ collocatus. Non me allocutus eſt Rex ut criminoſum, ſed ut hominem tempeſtate dejectum; et ſimul conſtantem meum et perpetuum in ſermone ſuo induſtriæ et integritatis tenorem prolixè agnovit, cum inſigni, ut videbatur, affectu: unde major mihi oboritur

ſpes,

ipes, manente ejus erga me gratiâ, et extinctâ omni præ diuturnitate invidiâ, labores illuſtr. Domin. tuæ ero me non incaſſum fore. Ipſe interim nec otio me dedi, nec rebus me importunè immiſcui, ſed in iis vivo, et ea tracto, quæ nec priores, quos geſſi, honores decreceant, et poſteris memoriam nominis mei haud ingratam fortaſſe relinquent. Itaque ſpero me non indignam fore materiam, in quâ et potentiæ et amicitiæ tuæ vis eluceſcat et celebretur; ut non non minus in privatâ hominis fortunâ potuiſſe videaris, quam in negotiis publicis. Deus illuſtriſſ. Dominationem tuam incolumem ſervet et felicitate cumulet.

Indorſed,.

My Lord St. Alban's firſt letter to Gondomar, into Spain, March 28 1623.

To the Marquis of BUCKINGHAM, *in Spain.*

Excellent Lord,

FINDING ſo truſty a meſſenger as Sir John Epſley, I thought it my duty to put theſe few lines into his hands. I thank God, that thoſe ſhadows, which either mine own melancholy, or my extreme love to your Lordſhip, did put into my mind concerning this voyage of the Prince and your Lordſhip, rather vaniſh and diminiſh, than otherwiſe. The groſs fear is paſt of the paſſage of France. I think you had the ring, which they write of, that, when the ſeal was turned to the palm of the hand, made men go inviſible. Neither do I hear of any novelty here worth the eſteeming.

There is a general opinion here, that your Lordſhip is like enough to return, and go again, before the Prince come: which opinion, whether the buſineſs lead you to do ſo, or no, doth no hurt; for it keeps men in awe.

I find, I thank God, ſome glimmering of the King's favour, which your Lordſhip's noble work of my acceſs, no doubt, did chiefly cheriſh. I am much bound to Mr. Secretary Conway. It is wholly for your Lordſhip's ſake; for I had no acquaintance with him in the world. By that I ſee of him, he is a man fit to ſerve a great King, and fit to be a friend and ſervant to your Lordſhip. Good my Lord, write two or three words to him both of thanks, and a general recommendation of me unto him.

Vouchſafe, of your nobleneſs, to preſent my moſt humble duty to his Highneſs. We hear he is freſh in his perſon, and becomes this brave journey in all things. God provide all things for the beſt.

I ever reſt &c.

Indorſed, *March* 30, 1623.

To Mr. Secretary CONWAY.

Good Mr. Secretary,

I AM much comforted by your laſt letter, wherein I find, that his Majeſty, of his mere grace and goodneſs, vouchſafeth to have a care of me, a man out of ſight, out of uſe; but yet his, as the Scripture ſaith, God knows thoſe, that are his. In particular, I am very much bound to his Majeſty (and I pray you, Sir, thank his Majeſty moſt humbly for it,) that, notwithſtanding the former deſignment of Sir William Becher *(l)*, his Majeſty (as you write) is

(l) Sir William had not, however, that poſt; but, in lieu of it, the promiſe of 2500l. upon the fall of the firſt of the ſix clerks places, and was permitted to keep his clerkſhip of the council. MS. letter of Mr. Chamberlain to Sir Dudley Carleton, dated at London, July 24, 1624. The provoſtſhip was given to Sir Henry Wotton, who was inſtituted into it the 26th of

is not out of hope, in due time, to accommodate me of this cell, and to ſatisfy him otherwiſe. Many conditions, no doubt, may be as contenting to that gentleman, and his years may expect them. But there will hardly fall, eſpecially in the ſpent hour-glaſs of my life, any thing ſo fit for me, being a retreat to a place of ſtudy ſo near London, and where (if I ſell my houſe at Gorhambury, as I purpoſe to do, to put myſelf in ſome convenient plenty) I may be accommodate of a dwelling for ſummer time. And therefore, good Mr. Secretary, further this his Majeſty's good intention, by all means, if the place fall.

For yourſelf, you have obliged me much. I will endeavour to deſerve it: at leaſt your nobleneſs is never loſt; and my noble friend, the Marquis, I know, will thank you for it.

I was looking of ſome ſhort papers of mine touching uſury (*m*), to grind the teeth of it, and yet make it grind to his Majeſty's mill in good ſort, without diſcontentment, or perturbation. If you think good, I will ſend it to his Majeſty, as the fruit of my leiſure. But yet I would not have it come from me, not for any tenderneſs in the thing, but becauſe I know, in courts of Princes, it is uſual, *non res, ſed diſplicet auctor*. God keep your Honour &c.

Indorſed,

To Mr. Secretary Conway, touching the Provoſtſhip of Eton, March 31, 1623.

of that month, having purchaſed it by a ſurrender of a grant of the reverſion of the Maſterſhip of the Rolls, and of another office, which was fit to be turned into preſent money, which he then, and afterwards, much wanted [Life of him by Mr. Iſaac Walton:] for when he went to the election at Eton, ſoon after his being made Provoſt, he was ſo ill provided, that the Fellows of the College were obliged to furniſh his bare walls, and whatever elſe was wanting. MS. letter of Mr. Chamberlain, Aug. 7, 1624.

(*m*) In his works is publiſhed, *A Draught of an act againſt an uſurious Shift of Gain, in delivering of Commodities, inſtead of Money.*

To Count GONDOMAR.

Illuſtriſſime Comes,

PRIMO loco, ut debeo, gratulor Dominationi tuæ illuſtriſſimæ novum honoris tui gradum per ſe ſublimem, ſed ex causâ, propter quam evectus es, haud parum nobilitatum. Profectio Dom. Tobiæ Matthæi, qui mihi eſt tanquam alter ego, ut Dominatio tua illuſtriſſima optimè novit, in illas partes, memoriam mihi renovat eximii tui erga me favoris, cum me pluries, paulo ante diſceſſum tuum, in campis, in urbe viſitares, et prolixè de voluntate tuâ erga fortunas meas pollicereris. Quinetiam tam apud regem meum quam apud Marchionem de illis ſedulo ageres, ut etiam promiſſum ab illis de poſtulatis meis obtineris. Quod ſi illo tempore quis mihi genius aut vates in aurem inſuſurraſſet et dixiſſet, Mitte iſta in præſens. Britannia eſt regio paulo frigidior: differrem donec Princeps Galliæ et Marchio Buckinghamiæ et Comes de Gondomar conveniunt in Hiſpaniâ, ubi hujuſmodi fructus clementius matureſcant: quin et viderit idem Dom. Tob. Matthæum, qui illic, quemadmodum nunc, inſtabit, et negotium promovebit: ſcilicet riſiſſem, ſed fidem prorſus non adhibuiſſem. Quare, illuſtriſſime Comes, cum talia miracula edideris in fortunâ publicâ, etiam in fortunâ amici et ſervi tui privatâ eniteat virtus tua. Miraculum enim potentiæ et fidei proles eſt. Tu potentiam habes; ego fide abundo, ſi modo digna ſit res, ad quam Dominatio tua illuſtriſſima manum ſalutarem porrigat. Id tempus optimè demonſtrabit.

Cum nuper ad Dominationem tuam illuſtriſſimam ſcripſerim, eo brevior fio. Hoc tantum a te peto, ut etiam inter negotia, quæ feliciter adminiſtras, conſuetam digneris Dom. Matthæo libertatem proponendi et conſulendi apud te ea, quæ in rem meam fore videbimus. Deus

Deus illuſtriſſimam tuam Dominationem ſervet incolumem, ut enixè optat &c.

To the Earl of BRISTOL, *Ambaſſador in Spain.*

My very good Lord,

THOUGH I have written to your Lordſhip lately, yet I could not omit to put a letter into ſo good a hand as Mr. Matthew's, being one, that hath often made known unto me, how much I am beholden to your Lordſhip; and knoweth likewiſe in what eſtimation I have ever had your Lordſhip, not according to your fortunes, but according to your inward value. Therefore, not to hold your Lordſhip in this time of ſo great buſineſs, and where I have ſo good a mean as Mr. Matthew, who, if there be any thing that concerns my fortune, can better expreſs it than myſelf, I humbly commend myſelf, and my ſervice to your Lordſhip, reſting &c.

To Sir FRANCIS COTTINGTON, *Secretary to the* PRINCE.

Good Mr. Secretary,

THOUGH I think I have cloyed you with letters, yet had I written a thouſand before, I muſt add one more by the hands of Mr. Matthew, being as true a friend, as any you or I have; and one, that made me ſo happy, as to have the aſſurance of our friendſhip; which, if there be any ſtirring for my good, I pray practiſe in ſo good a conjunction as his. I ever reſt &c.

To Mr. TOBIE MATTHEW.

Good Mr. Matthew,

BECAUSE Mr. Clarke is the firſt, that hath been ſent ſince your departure, who gave me alſo the comfortable news, that he met you well, I could not but viſit you with my letters, who have ſo often viſited me with your kind conferences.

My health, I thank God, is better than when you left me; and, to my thinking, better than before my laſt ſickneſs. This is all I need to write of myſelf to ſuch a friend.

We hope well, and it is generally rather ſpoken, than believed, that his Highneſs will return very ſpeedily. But they be not the beſt pieces in painting, that are daſhed out in haſte. I hope, if any thing want in the ſpeed of time, it will be compenſed in the fruit of time, that all may ſort to the beſt.

I have written a few words, of duty and reſpect only, to my Lord Marquis, and Mr. Secretary. I pray you kiſs the Count of Gondomar's hand.

God keep you.

Your moſt affectionate and aſſured friend,

May 2, 1623.

FR. ST. ALBAN.

To the Duke of BUCKINGHAM.

Excellent Lord,

I WRITE now only to congratulate with your Grace your new honour (*n*); which becauſe I reckon to be no great matter to your fortune (though you

(*n*) the title of Duke, conferred on him May 18, 1623.

are

are the firſt Engliſh Duke, that hath been created ſince I was born) my compliment ſhall be the ſhorter. So having turned almoſt my hopes of your Grace's return, by July, into wiſhes, and not to them neither, if it ſhould be any hazard to your health, I reſt &c.

Vouchſafe, of your nobleneſs, to preſent my moſt humble duty to his Highneſs. Summer is a thirſty time; and ſure I am, I ſhall infinitely thirſt to ſee his Highneſs's and your Grace's return.

Duke of BUCKINGHAM *to the Lord Viſcount* ST. ALBAN.

My good Lord,

I HAVE received your hearty congratulation for the great honour, and gracious favour, which his Majeſty hath done me: and I do well believe, that no man is more glad of it than yourſelf.

Tobie Matthew is here; but what with the journey, and what with the affliction he endures, to find, as he ſays, that reaſon prevails nothing with theſe people, he is grown extreme lean, and looks as ſharp as an eyas (*o*). Only he comforts himſelf with a conceit, that he is now gotten on the other ſide of the water, where the ſame reaſon, that is valuable in other parts of the world, is of no validity here; but rather ſomething elſe, which yet he hath not found out.

I have let his Highneſs ſee the good expreſſions of your Lordſhip's care, and faithful affection to his perſon; and ſhall ever be ready to do you, in all things, the beſt ſervice, that I can.

(*o*) A young hawk, juſt taken out of the neſt.

So wiſhing your Lordſhip much happineſs, reſt

Your Lordſhip's faithful friend,

and humble ſervant,

Madrid, this 29th of May, 1623, *ſt. vet.* G. BUCKINGHAM

To the Duke of BUCKINGHAM, *in Spain.*

Excellent Lord,

I HUMBLY thank your Grace for your letter of the 29th of May; and that your Grace doth believe, that no man is gladder of the increaſe of your honour and fortune, than I am; as, on the other part, no man ſhould be more ſorry, if it ſhould in the leaſt degree decline, nor more careful, if it ſhould ſo much as labour. But of the firſt, I ſpeak as of a thing, that is: but for the two latter, it is but a caſe put, which I hope I ſhall never ſee. And, to be plain with your Grace, I am not a little comforted to obſerve, that, although in common ſenſe and experience, a man would have doubted, that ſome things might have ſorted to your prejudice; yet in particulars we find nothing of it. For a man might reaſonably have feared, that abſence and diſcontinuance might have leſſened his Majeſty's favour: no ſuch thing has followed. So likewiſe, that any, that might not wiſh you well, ſhould have been bolder with you. But all is continued in good compaſs. Again, who might not have feared, that your Grace being there to manage, in great part, the moſt important buſineſs of Europe, ſo far from the King, and not ſtrengthened with advice there, except that of the Prince himſelf, and thus to deal with ſo politic a ſtate as Spain, you ſhould be able to go through as you do? and yet nothing, as we hear, but for your

your honour, and that you do your part. Surely, my Lord, though your virtues be great, yet theſe things could not be, but that the bleſſing of God, which is over the King and the Prince, doth likewiſe deſcend upon you as a faithful ſervant; and you are the more to be thankful to God for it.

I humbly thank your Grace, that you make me live in his Highneſs's remembrance, whom I ſhall ever bear an heart to honour and ſerve. And I much joy to hear of the great and fair reputation, which at all hands are given him.

For Mr. Matthew, I hope by this time he hath gathered up his crumbs; which importeth much, I aſſure your Grace, if his cure muſt be, either by finding better reaſon on that ſide the line, or by diſcovering, what is the motion, that moveth the wheels, that, if reaſon do not, we muſt all pray for his being in good point. But in truth, my Lord, I am glad he is there; for I know his virtues, and particularly his devotion to your Lordſhip.

God return his Highneſs, and your Grace, unto us ſafe and ſound, and according to your heart's deſires.

To Mr. TOBIE MATTHEW.

Good Mr. Matthew,

I HAVE received your letter of the 10th of June *(p)*, and am exceeding glad to hear you are in ſo good health. For that, which may concern myſelf, I neither doubt of your judgement in chooſing the fitteſt time, nor of your affection in taking the firſt time you ſhall find fit. For the public buſineſs, I will not turn my hopes into wiſhes yet, ſince you write as you do; and I am very glad you are

(p) N. S.

there,

there, and, as I gueſs, you went in good time to his Lordſhip.

For your action of the caſe, it will fall to the ground; for I have not heard from the Duke, neither by letter, nor meſſage, at this time.

God keep you. I reſt always

Your moſt affectionate and faithful ſervant,

Grey's Inn, 17th of June, 1623. FR. ST. ALBAN.

I do hear, from Sir Robert Ker and others, how much beholden I am to you.

To Mr. TOBIE MATTHEW.

Good Mr. Matthew,

I THANK you for your letter of the 26th of June, and commend myſelf unto your friendſhip, knowing your word is good aſſurance, and thinking I cannot wiſh myſelf a better wiſh, than that your power may grow to your will.

Since you ſay the Prince hath not forgot his commandment, touching my Hiſtory of Henry VIII, I may not forget my duty. But I find Sir Robert Cotton, who poured forth what he had, in my other work, ſomewhat dainty of his materials in this.

It is true, my labours are now moſt ſet to have thoſe works, which I had formerly publiſhed, as that of *Advancement of Learning*, that of *Henry VII*, that of the *Eſſays*, being retractate, and made more perfect, well tranſlated into Latin by the help of ſome good pens, which forſake me not. For theſe modern languages will, at one time or other, play the bankrupts with books: and ſince I have loſt much time with this age, I would be glad, as God ſhall give me leave, to recover it with poſterity.

For the eſſay of friendſhip, while I took your ſpeech of it for a curſory requeſt, I took my promiſe for a compliment. But ſince you call for it, I ſhall perform it (*q*).

I am much beholden to Mr. Gage for many expreſſions of his love to me; and his company, in itſelf very acceptable, is the more pleaſing to me, becauſe it retaineth the memory of yourſelf.

This letter of yours, of the 26th, lay not ſo long by you, but it hath been as ſpeedily anſwered by me, ſo as with Sir Francis Cottington I have had no ſpeech ſince the receit of it. Your former letters, which I received from Mr. Grieſley, I had anſwered before, and put my letter into a good hand.

For the great buſineſs, God conduct it well. Mine own fortune hath taught me expectation.

God keep you.

Indorſed, *To Mr. Matthew, into Spain.*

To Mr. TOBIE MATTHEW.

Good Mr. Matthew,

I HAVE received your letter, ſent by my Lord of Andover; and, as I acknowledged your care, ſo I cannot fit it with any thing, that I can think on for myſelf; for ſince Gondomar, who was my voluntary friend, is in no credit, neither with the Prince, nor with the Duke, I do not ſee what may be done for me there; except that, which Gondomar hath loſt, you have found; and then I am ſure my caſe is amended: ſo, as with a great deal of confidence, I commend myſelf to you, hoping, that you will do what in you lieth, to prepare the Prince and Duke to

(*q*) Among his *Eſſays*, publiſhed in 4to, and dedicated to the Duke of Buckingham, is one upon *Friendſhip*.

think

think of me, upon their return. And if you have any relation to the Infanta, I doubt not but it ſhall be alſo to my uſe. God keep you.

Your moſt affectionate and aſſured friend, &c.

To the Duke of BUCKINGHAM.

Excellent Lord,

THOUGH I have formerly given your Grace thanks for your laſt letter, yet being much refreſhed to hear things go ſo well, whereby we hope to ſee you here ſhortly, your errand done, and the Prince within the vail; I could not contain, but congratulate with your Lordſhip, ſeeing good fortune, that is God's bleſſing, ſtill follow you. I hope I have ſtill place in your love and favour; which if I have, for other place, it ſhall not trouble me. I ever reſt

Your Grace's moſt obliged, and faithful ſervant.

July 22, 1623.

To the Duke of BUCKINGHAM.

Excellent Lord,

UPON Mr. Clarke's diſpatch, in troth I was ill in health, as he might partly perceive. Therefore I wrote to my true friend, and your Grace's devoted ſervant, Mr. Matthew, to excuſe me to your Grace for not writing. Since, I thank God, I am pretty well recovered; for I have lain at two wards, one againſt my diſeaſe, the other againſt my phyſicians, who are ſtrange creatures.

My Lord, it rejoiceth me much, that I underſtand from Mr. Matthew, that I live in your Grace's remembrance;

membrance; and that I ſhall be the firſt man, that you will think on upon your return: which if your Grace perform, I hope God Almighty, who hath hitherto extraordinarily bleſſed you in this rocky buſineſs, will bleſs you the more for my ſake. For I have had extraordinary tokens of his divine favour towards me, both in ſickneſs and in health, proſperity and adverſity.

Vouchſafe to preſent my moſt humble duty to his Highneſs, whoſe happy arrival will be a bright morning to all. I ever reſt

Your Grace's moſt obliged
and faithful ſervant,

Grey's Inn, Auguſt 29, 1623. FR. ST. ALBAN.

To Mr. TOBIE MATTHEW.

Good Mr. Matthew,

I HAVE gotten a little health; I praiſe God for it. I have therefore now written to his Grace, that I formerly, upon Mr. Clarke's diſpatch, deſired you to excuſe me for not writing, and taken knowledge, that I have underſtood from you, that I live in his Grace's remembrance; and that I ſhall be his firſt man, that he will have care of upon his return. And although your abſence be to me as uncomfortable to my mind, as God may make it helpful to my fortunes; yet it is ſomwhat ſupplied by the love, freedom, and often viſitations of Mr. Gage; ſo, as when I have him, I think I want you not altogether.

God keep you.

Your moſt affectionate
and much-obliged friend, &c.

Minutes

Minutes of a Letter to the Duke of BUCKINGHAM.

THAT I am exceeding glad his Grace is come home (*r*) with ſo fair a reputation of a ſound proteſtant, and ſo conſtant for the King's honour a errand.

His Grace is now to conſider, that his reputation will vaniſh like a dream, except now, upon his return, he do ſome remarkable act to fix it, and bind it in.

They have a good wiſe proverb in the country, whence he cometh, taken I think from a gentlewoman's ſampler, *Qui en no da nudo, pierdo punto*, "he, that "tieth not a knot upon his thread, loſeth his ſtitch."

Any particular I, that live in darkneſs, cannot propound. Let his Grace, who ſeeth clear, make his choice: but let ſome ſuch thing be done, and then this reputation will ſtick by him; and his Grace may afterwards be at the better liberty to take and leave off the future occaſions, that ſhall preſent.

To the KING.

It may pleaſe your moſt excellent Majeſty,

I SEND, in all humbleneſs, to your Majeſty, the poor fruits of my leiſure. This book (*s*) was the firſt thing, that ever I preſented to your Majeſty (*t*);

(*r*) The Prince and Duke arrived from Spain in London, October 6, 1623.

(*s*) *De Augmentis Scientiarum*, printed at London, 1623, in fol. The preſent to King James I, is in the royal library in the Britiſh Muſeum.

(*t*) *The two books of Sir Francis Bacon of the Proficiency and Advancement of Learning, Divine and Human:* printed at London, 1605, in 4to.

and

and it may be will be laſt. For I had thought it ſhould have *poſthuma proles*. But God hath otherwiſe diſpoſed for a while. It is a tranſlation, but almoſt inlarged to a new work. I had good helps for the language. I have been alſo mine own *index expurgatorius*, that it may be read in all places. For ſince my end of putting it into Latin was to have it read every where, it had been an abſurd contradiction to free it in the language, and to pen it up in the matter. Your Majeſty will vouchſafe graciouſly to receive theſe poor ſacrifices of him, that ſhall ever deſire to do you honour, while he breaths, and fulfilleth the reſt in prayers.

Your Majeſty's true beadſman,
and moſt humble ſervant, &c.

Todos duelos con pan ſon buenos: itaque det veſtra Majeſtas obolum Belliſario.

To the PRINCE.

It may pleaſe your excellent Highneſs,

I SEND your Highneſs, in all humbleneſs, my book of *Advancement of Learning*, tranſlated into Latin, but ſo inlarged, as it may go for a new work. It is a book, I think, will live, and be a citizen of the world, as Engliſh books are not. For Henry the Eighth, to deal truly with your Highneſs, I did ſo deſpair of my health this ſummer, as I was glad to chooſe ſome ſuch work, as I might compaſs within days; ſo far was I from entering into a work of length. Your Highneſs's return hath been my reſtorative. When I ſhall wait upon your Highneſs, I ſhall give you a farther account. So I moſt humbly kiſs your Highneſs's hands, reſting

Your Highneſs's moſt devoted ſervant.

I would

I would (as I wrote to the Duke in Spain) I could do your Highneſs's journey any honour with my pen. It began like a fable of the poets; but it deſerveth all in a piece a worthy narration.

Conf. Buc. (*).

My Lord,

MY counſels bear not ſo high an elevation, as to have for their mark buſineſs of eſtate. That, which I level at, is your ſtanding and greatneſs, which nevertheleſs I hold for a main pillar of the King's ſervice.

For a parliament, I hold it then fit, when there have paſſed ſome more viſible demonſtrations of your power with the King, and your conſtancy in the way you are in: before not.

There are conſiderable, in this ſtate, three ſorts of men: the party of the Papiſts, which hate you; the party of the Proteſtants, including thoſe they call Puritans, whoſe love is yet but green towards you; and particular great perſons, which are moſt of them reconciled enemies, or diſcontented friends: and you muſt think there are a great many, that will magnify you, and make uſe of you for the breaking of the match, or putting the realm into a war; which after will return to their old bias.

For particulars, it is good to carry yourſelf fair; but neither to truſt too far, nor to apply too much, but keep a good diſtance, and to play your own game, ſhewing yourſelf to have, as the bee hath, both of the honey, and of the ſting.

The ſpeech now abroad is, "My Lord of Buckingham's head is full of thoughts: he hath a great "talk; either he muſt break, or the match muſt "break. He was wont to go the King's ways; but

(*) *Conference with Buckingham.*

"now

"now he goeth croſs his way, he will eaſily loſe his "way."

There is a point nice to be managed, yea, and tender to be ſpoken of, which is your carriage between the King and the Prince; ſo that you may loſe no manner of ground with the Prince; and yet the King may not think himſelf the more ſolitary, nor that you adore too much the ſun-riſing. Though this you may ſet down, that the way to have the King ſure unto you is to keep great with the Prince.

Conf. with Bu. *December* 17, 1623.

YOU march bravely: but methinks you do not draw up your troops.

You muſt beware of theſe your pardons. If we make men leſs in awe, and reſpect you, *urina chiara fa fico al medico.*

The points of the general advice.

If a war be proceeded in; to treat a ſtrait league with France, under name of a renovation of the match with France. Three ſecret articles, the liberty of the German nation, whereof there is a freſh precedent of Henry the Second of France, that took it into protection proſperouſly, and to the arreſt of the Emperor Charles's greatneſs. 2. The conſervation of the liberties of the Low-Countries for the United Provinces, and open trade into the Eaſt and Weſt Indies.

Offer of mine own ſervice upon a commiſſion into France.

My Lord hath againſt him theſe diſadvantages; the catholic party; the Spaniard; the envy and fear of particular great men; the nice point of carrying himſelf between the King and the Prince.

The knot, which is to be tied for his reputation, muſt either be advancing, or depreſſing of perſons, or putting by, or forwarding, of actions.

Conf. Buc. *qu. and old ſtore, January* 2, 1623.

THERE is not an honeſter man in court than Montgomery (*x*).

To have ſome opportunity, by the D.'s means, to ſpeak with the Prince in preſence of the Duke.

To think, whether it be fit for me to ſpeak with the King, and to ſeek acceſs before parliament; if then.

The offer of my ſervice to live a ſummer, as upon mine own delight, at Paris, to ſettle a faſt intelligence between France and us.

I have ſomewhat of the French; I love birds, as the King doth, and have ſome childiſh mindedneſs, wherein we ſhall conſent.

To think of Belfaſt's ſending over into Ireland. Thoſe, that find themſelves obnoxious to parliament, will do all they can, that thoſe things, which are likeſt to diſtaſte the King, be firſt handled.

It is not to be forgotten, that as long as great men were in queſtion, as in my caſe, all things went ſweetly for the King. But the ſecond meeting, when no ſuch thing was, the pack went higher.

Weeding time is not yet come. Cott. Car. qu. of Car.

The battery will be chiefly laid on the Prince's part, if they find any entry.

To be author of ſome counſel to the Prince, that taſteth of religion and virtue, leſt it be imputed, that he entertains him only in pleaſures, like a Pe. Ga.

The things remarkable for your Grace, to fix and bind in the reputation, which you have gained, muſt be either perſons, or matters.

(*x*) Philip, Earl of Montgomery, afterwards of Pembroke.

The

The doubt the Prince is *mollis cera*, and formed *di ultima impreſſion*. Therefore good to have ſure perſons about him, or at leaſt none dangerous.

For the pardons to proceed, it is a tender buſineſs. Firſt, whatſoever uſeth to be done in parliament, is thankleſs. Then it is not good for his Grace. It will make men bolder with him. *Urina chiara fa fico al medico.* Laſtly, remove the envy from others, it may beat upon my Lord himſelf, or the King.

Conf. B. *January* 2, 1623.

YOU have now tied a knot, as I wiſhed you; *qui en no da nudo, pierde punto* (*y*); a jolly one, the parliament. Although I could have wiſhed, that before a parliament, ſome remarkable thing had been done, whereby the world might have taken notice, that you ſtand the ſame in grace and power with the King. But there is time enough for that between this and parliament (*z*). And beſides, the very prevailing for a parliament ſheweth your power with the King.

You march bravely. Do you draw up your troops ſo well?

One of theſe days I ſhall turn my Lord Brooke, and ſay to you, *O brave Buckingham.*

I will commend you to all others, and cenſure you only to yourſelf.

You bowl well, if you do not horſe the bowl an hand too much. You know the fine bowler is knee almoſt to ground in the delivery of the caſt.

Nay, and the King will put a hook in the noſtrils of Spain, and lay a foundation of greatneſs here to

(*y*) "He that tieth not a knot upon his thread, loſeth his "ſtitch."

(*z*) It met February 19, 162$\frac{4}{5}$.

his children, in theſe weſt parts. The call for me, it is book-learning. You know the King was wont to do me the honour, as to ſay of me, *de minimis non curat lex:* if good for any thing, for great volumes, I cannot thread needles ſo well.

The Chamberlain (*a*): for his perſon, not effectual; but ſome dependances he hath, which are drawn with him. Beſides, he can take no reputation from you.

Montgomery is an honeſt man, and a good obſerver. Can you do nothing with Naunton (*b*)? Who would think now, that I name Naunton to my Lord of Buckingham? But I ſpeak to you point-blank: no crooked end, either for myſelf, or for others turn.

The French treaty, beſides alliance, is to have three ſecret articles: the one, the protection of the liberty of Germany, and to avoid from it all forces thence, like to that, which was concluded between the Princes of Germany and Henry II (*c*), the laſt King, except Henry IV, of value in France; for the race of the Valois were *faitneants:* and, in the name of Germany, to conclude the Griſons and Valtoline. The ſecond, the conſerving the liberties of the Low Countries. The third, the free trade into all parts of both Eaſt and Weſt Indies. All theſe import no invaſive hoſtility, but only the uniting of the ſtates of Europe againſt the growing ambition of Spain. Neither do any of theſe touch upon the cauſe of religion.

I am perſuaded, the hinge of the King's affairs, for his ſafety and greatneſs, is now in Spain. I would the King had an abler inſtrument.

Above all, you muſt look to the ſafety of Ireland, both becauſe it is moſt dangerous for this ſtate (for the diſeaſe will ever fall to the weakeſt part;) and be-

(*a*) William, Earl of Pembroke.

(*b*) Sir Robert Naunton, who had been Secretary of State, and was now Maſter of the court of Wards.

(*c*) This league firſt arreſted the greatneſs of the Emperor, and cloiſtered him. *Note of Lord Bacon.*

ſides,

ſide, this early declaration againſt Spain, which the Popiſh party call abrupt, and is your Grace's work, may be thought to be the danger of Ireland. It were good you called to you Belfaſt (*d*) and Grandiſon (*e*), and aſk their opinions, what is beſt to be done for the ſafety of Ireland, either by increaſing the liſt of companies, and by contenting thoſe, that are in arrear, by paying; or by altering any governor there; or by having companies ready muſtered and trained here, towards the coaſt of Ireland; or by having ſhipping in readineſs, &c. For this gown commiſſion, I like it well; but it is but paper-ſhot for defence.

If the Papiſts be put in deſpair, it both endangereth Ireland, and maketh a greater difficulty in the treaty and alliance with France.

To think of a difference to be put between the Jeſuits and other Prieſts and Papiſts, as to reduce, in ſome moderation, the baniſhment of the one, though not of the other: but to remember, that they were the reaſonableſt, as I take it, in the conſult; and it may draw the blow of an aſſaſſin againſt Buckingham.

At leaſt, the going on with the parliament hath gained this, that the diſcourſe is ceaſed, "My Lord "of Buckingham hath a great taſk. His head is "full: either the match breaks, or his fortune "breaks. He has run his courſes with the ſtream of "the King's ways; but now he goeth croſs-way, he "may ſoon loſe his own way."

If your Grace go not now conſtantly on for religion, and round dealing with Spain, men will either think they were miſtaken in you; or that you are brought about; or that your will is good, but you have no power.

(*d*) Arthur Chicheſter, Baron of Belfaſt, who had been made Lord Deputy of Ireland in 1604.

(*e*) Oliver St. John, Viſcount Grandiſon, made Lord Deputy of Ireland in Auguſt, 1616.

Your Grace hath a great party againſt you, and a good rough way. The Spaniards hate you; the Papiſts little better. In the opinion of the people, you are green, and not yet at a gage. Particulars are, for the moſt part, diſcontented friends, or reconciled enemies: and that nice dividing between the *ſol orient* and *occident*.

To the Duke of BUCKINGHAM.

Excellent Lord,

I DESIRE in this, which I now preſume to write to your Grace, to be underſtood, that my bow carrieth not ſo high, as to aim to adviſe touching any of the great affairs now on foot, and ſo to paſs it to his Majeſty through your hands; though it be true, that my good affection towards his Majeſty and the Prince and the public is that, which will laſt die in me; and though I think alſo his Majeſty would take it but well, if, having been that man I have been, my honeſt and loyal mind ſhould ſometimes feed upon thoſe thoughts. But my level is no farther, but to do the part of a true friend in adviſing yourſelf for your own greatneſs and ſafety; although, even in this alſo, I aſſure myſelf I perform a good duty to the public ſervice, unto which I reckon your ſtanding and power to be a firm and ſound pillar of ſupport.

Firſt, therefore, my Lord, call to mind oft, and conſider duly, how infinitely your Grace is bound to God in this one point, which I find to be a moſt rare piece, and wherein, either of ancient or late times, there are few examples; that is, that you are beloved ſo dearly, both by the King and the Prince. You are not as a Lerma, or an Olivares, and many others the like, who have inſinuated themſelves

ſelves into the favours of young Princes, during the Kings, their fathers, time, againſt the bent and inclination of the Kings: but contrary-wiſe, the King himſelf hath knit the knot of truſt and favour between the Prince and your Grace, wherein you are not ſo much to take comfort in that you may ſeem to have two lives in your own greatneſs, as in this, that hereby you are enabled to be a noble inſtrument for the ſervice, contentment, and heart's-eaſe, both of father and ſon. For where there is ſo loving and indulgent a father, and ſo reſpective and obedient a ſon, and a faithful and worthy ſervant, intereſted in both their favours upon all occaſions, it cannot be but a comfortable houſe. This point your Grace is principally to acknowledge and cheriſh.

Next, that, which I ſhould have placed firſt, ſave that the laying open of God's benefits is a good preparation to religion and godlineſs, your Grace is to maintain yourſelf firm and conſtant in the way you have begun; which is, in being and ſhewing yourſelf to be a true and ſound Proteſtant. This is your ſoul's health. This is that you owe to God above, for his ſingular favours: and this is that, which hath brought you into the good opinion and good will of the realm in general. So that, as your caſe differeth (as I ſaid) from the caſe of other favourites, in that you have both King and Prince; ſo in this, that you have alſo now the hearts of the beſt ſubjects (for I do not love the word *people*,) your caſe differeth from your own, as it ſtood before. And becauſe I would have your reputation in this point complete, let me adviſe you, that the name of Puritans in a Papiſt's mouth do not make you to withdraw your favour from ſuch, as are honeſt and religious men; ſo that they be not ſo turbulent and factious ſpirits, or adverſe to the government of the church, though they be traduced by that name. For of this kind is the greateſt part of the body of the ſubjects; and beſides,

(which is not to be forgotten) it is ſafeſt for the King and his ſervice, that ſuch men have their dependance upon your Grace, who are intirely the King's, rather than upon any other ſubject.

For the Papiſts, it is not unknown to your Grace, that you are not, at this time, much in their books. But be you like yourſelf; and far be it from you, under a King and Prince of that clemency, to be inclined to rigour or perſecution.

But three things muſt be looked unto: the firſt, that they be ſuppreſſed in any inſolency, which may tend either to diſquiet the civil eſtate, or ſcandalize our church in fact; for otherwiſe, all their doctrine doth it in opinion. The ſecond, that there be an end, or limit, of thoſe graces, which ſhall be thought fit for them, and that there be not every day new demands hearkened to. The third, that for thoſe caſes and graces, which they have received, or ſhall receive, of the ſtate, the thanks go the right way; that is, to the King and Prince, and not to any foreigner. For this is certain, that if they acknowledge them from the ſtate, they may perhaps ſit down, when they are well. But if they have a dependance upon a foreigner, there will be no end of their growing deſires and hopes. And in this point alſo, your Lordſhip's wiſdom and moderation may do much good.

For the match with Spain, it is too great and dark a buſineſs for me to judge of. But as it hath relation to concern yourſelf, I will, as in the reſt, deal freely with your Grace.

My Lord, you owe, in this matter, two debts to the King: the one, that, if in your conſcience and judgement you be perſuaded it be dangerous and prejudicial to him and his kingdoms, you deliver your ſoul, and in the freedom of a faithful counſellor, joined with the humbleneſs of a dutiful ſervant, you declare yourſelf accordingly, and ſhew your reaſons. The other, that if the King in his high judgement,

or

or the Prince in his ſettled affection, be reſolved to have it go on; that then you move in their orb, as far as they ſhall lay it upon you. But mean while, let me tell your Grace, that I am not of the general opinion abroad, that the match muſt break, or elſe my Lord of Buckingham's fortune muſt break. I am of another opinion; and yet perhaps it will be hard to make you believe it, becauſe both ſides will perſuade you to the contrary. For they, that would not have it go on, will work upon that conceit, to make you oppoſe it more ſtrongly. They, that would have it go on, will do the ſame, to make you take up betimes, and come about. But I having good affiance in your Grace's judgement, will tell you my reaſons, why I thus think, and ſo leave it. If the match ſhould go on, and put caſe againſt your counſel and opinion; doth any man think, that ſo profound a King, and ſo well ſeen in the ſcience of reigning, and ſo underſtanding a Prince, will ever ſuffer the whole ſway of affairs and greatneſs to go that way? And, if not, who ſhould be a fitter perſon to keep the balance even, than your Grace, whom the King and Prince know to be ſo intirely their own, and have found ſo nobly independent upon any other? Surely my opinion is, you are likely to be greater by counterpoiſe againſt the Spaniſh dependance, than you will by concurrence. And therefore, in God's name, do your duty faithfully and wiſely; for behaving yourſelf well otherwiſe, as I know you will, your fortune is like to be well either way.

For that excellent Lady, whoſe fortune is ſo diſtant from her merits and virtue, the Queen of Bohemia, your Grace being, as it were, the firſt-born, or prime man of the King's creatures, muſt in conſequence owe the moſt to his children and generations; whereof I know your noble heart hath far greater ſenſe, than any man's words can infuſe into you. And therefore whatſoever liveth within the compaſs

of

of your duty, and of poſſibility, will no doubt ſpring from you out of that fountain.

It is open to every man's diſcourſe, that there are but two ways for the reſtitution of the Palatinate, treaty and arms. It is good therefore to conſider of the middle acts, which may make either of theſe ways deſperate, to the end they may be avoided in that way, which ſhall be choſen. If no match, either this with Spain, or perhaps ſome other with Auſtria, no reſtitution by treaty. If the Dutch, either be ruined, or grow to a peace, of themſelves, with Spain, no reſtitution by war.

But theſe things your Grace underſtandeth far better than myſelf. And, as I ſaid before, the points of ſtate I aim not at farther, than they may concern your Grace, to whom, while I live, and ſhall find it acceptable to you, I ſhall ever be ready to give the tribute of a true friend and ſervant, and ſhall always think my counſels given you happy, if you ſhall pardon them, when they are free; and follow them, when they are good. God preſerve and proſper you.

To the Duke of BUCKINGHAM (*f*).

Excellent Lord,

THERE is a ſuit, whereunto I may, as it were, claim kindred, and which may be of credit and profit unto me; and it is an old arrear, which is called upon, from Sir Nicolas Bacon, my eldeſt brother. It may be worth to me perhaps two thouſand pounds; and yet I may deal kindly with my brother, and alſo reward liberally (as I mean to do) the officers of the Exchequer, which have brought it to light. Good my Lord obtain it of the King, and be earneſt in it for me. It will acquit the King ſomewhat of his

(*f*) The Duke's anſwer to this letter, dated at Newmarket, the 28th of January, 1623, is printed in Lord Bacon's works.

promiſe,

promiſe, that he would have care of my wants; for hitherto, ſince my misfortunes, I have taſted of his Majeſty's mercy, but not of his bounty. But your Lordſhip may be pleaſed in this, to clear the coaſt with my Lord Treaſurer; elſe there it will have a ſtop. I am almoſt at laſt caſt for means; and yet it grieveth me moſt, that at ſuch a time as this, I ſhould not be rather ſerviceable to your Grace, than troubleſome.

God preſerve and proſper your Grace.

Your Grace's moſt obliged,

and faithful ſervant,

This 23d of January, 1623.

FR. ST. ALBAN.

To the Earl of OXFORD *(g).*

My very good Lord,

LET me be an humble ſuitor to your Lordſhip, for your noble favour. I would be glad to receive my writ this parliament (*b*), that I may not die in diſhonour; but by no means, except it ſhould be with the love and conſent of my Lords to re-admit me, if their Lordſhips vouchſafe to think me worthy of their company; or if they think that, which I have ſuffered now theſe three years, in loſs of place, in loſs of means, and in loſs of liberty for a great time, to be a ſufficient expiation for my faults, whereby I may now ſeem in their eyes to be a fit ſubject of their grace, as I have been before of their juſtice. My good Lord, the good, which the commonwealth might reap of my ſuffering, is already inned. Juſtice

(*g*) Henry Vere, who died in 1625. He was Lord Great Chamberlain of England.

(*b*) that met February 19, 1623, and was prorogued May 29, 1624.

is

is done; an example is made for reformation; the authority of the Houſe for judicature is eſtabliſhed. There can be no farther uſe of my miſery; perhaps ſome little may be of my ſervice; for, I hope, I ſhall be found a man humbled as a Chriſtian, though not dejected as a worldling. I have great opinion of your Lordſhip's power, and great hope, for many reaſons, of your favour; which, if I may obtain, I can ſay no more, but nobleneſs is ever requited in itſelf; and God, whoſe ſpecial favour in my afflictions I have manifeſtly found to my comfort, will, I truſt, be my pay-maſter of that, which cannot be requited by

Your Lordſhip's affectionate humble ſervant, &c.

Indorſed, *February* 2, 1623.

To Sir FRANCIS BARNHAM (*i*).

Good Couſin,

UPON a little ſearching, made touching the patents of the ſurvey of coals, I find matter not only to accquit myſelf, but likewiſe to do myſelf much right.

Any reference to me, or any certificate of mine, I find not. Neither is it very likely I made any; for that, when it came to the great ſeal, I ſtayed it. I did not only ſtay it, but brought it before the council-table, as not willing to paſs it, except their Lordſhips allowed it. The Lords gave hearing to the buſineſs, I remember, two ſeveral days; and in

(*i*) He appears to be a relation of his Lordſhip's Lady, who was daughter of Benedict Barnham, Eſq; Alderman of the city of London. Sir Francis was appointed, by his Lordſhip, one of the executors of his laſt will.

the and diſallowed it, and commended my care and circumſpection, and ordered, that it ſhould continue ſtayed; and ſo it did all my time.

About a twelvemonth ſince, my Lord Duke of Lenox, now deceaſed (*k*), wrote to me to have the privy ſeal; which, though I reſpected his Lordſhip much, I refuſed to deliver to him, but was content to put it into the right hand; that is, to ſend it to my Lord Keeper (*l*), giving knowledge how it had been ſtayed. My Lord Keeper received it by mine own ſervant, writeth back to me, acknowledging the receit, and adding, that he would lay it aſide untill his Lordſhip heard farther from my Lord Steward (*m*), and the reſt of the Lords. Whether this firſt privy ſeal went to the great ſeal, or that it went about again, I know not: but all my part is, that I have related. I ever reſt

Your faithful friend and couſin,

March 14, 1623.

FR. ST. ALBAN.

To the Duke of BUCKINGHAM.

My Lord,

I AM now full three years old in miſery; neither hath there been any thing done for me, whereby I might either die out of ignominy, or live out of want. But now, that your Grace (God's name be praiſed for it) hath recovered your health, and are come to the court, and the parliament buſineſs hath alſo intermiſſion; I firmly hope, your Grace will deal with his Majeſty, that as I have taſted of

(*k*) He died ſuddenly, February 12, 162$\frac{3}{4}$.
(*l*) See his letter to Lord St. Alban, of February 7, 1622.
(*m*) James, Marquis of Hamilton, who died March 2, 162$\frac{4}{5}$.

his

his mercy, I may alſo taſte of his bounty. Your Grace, I know, for a buſineſs of a private man, cannot win yourſelf more honour; and I hope I ſhall yet live to do you ſervice. For my fortune hath (I thank God) made no alteration in my mind, but to the better. I ever reſt humbly

Your Grace's moſt obliged
and faithful ſervant,

FR. ST. ALBAN.

If I may know by two or three words from your Grace, that you will ſet in for me, I will propound ſomewhat that ſhall be modeſt, and leave it to your Grace, whether you will move his Majeſty yourſelf, or recommend it by ſome of your Lordſhip's friends, that wiſh me well; [as my Lord of Arundel, or Secretary Conway, or Mr. James Maxwell (*n*).]

To the Duke of BUCKINGHAM.

Excellent Lord,

I UNDERSTAND, by Sir John Suckling, that he attended yeſterday at Greenwich, hoping, according to your Grace's appointment, to have found you there, and to have received your Grace's pleaſure touching my ſuit, but miſſed of you: and this day he ſitteth upon the ſubſidy at Brentford, and ſhall not be at court this week: which cauſeth me to uſe theſe few lines to hear from your Grace, I hope, to my comfort; humbly praying pardon, if I num-

(*n*). The words included in brackets have a line drawn after them.

ber

ber thus the days, and that miſery ſhould exceed modeſty. I ever reſt

Your Grace's moſt faithful

and obliged ſervant,

June 30, 1624.

FR. ST. ALBAN.

To Sir RICHARD WESTON, *Chancellor of the Exchequer.*

Mr. Chancellor,

THIS way, by Mr. Myn, beſides a number of little difficulties it hath, amounteth to this, that I ſhall pay intereſt for mine own money. Beſides, I muſt confeſs, I cannot bow my mind to be a ſuitor, much leſs a ſhifter, for that means, which I enjoy by his Majeſty's grace and bounty. And therefore I am rather aſhamed of that I have done, than minded to go forward. So that I leave it to yourſelf what you think fit to be done in your honour and my caſe, reſting

Your very loving friend,

London, this 7th of July, 1624.

FR. ST. ALBAN.

To the Duke of BUCKINGHAM.

Excellent Lord,

NOW that your Grace hath the King private, and at better leiſure, the noiſe of ſoldiers, ambaſſadors, parliaments, a little ceaſing, I hope you will remember your ſervant; for at ſo good a time,

time (*o*), and after ſo long a time, to forget him, were almoſt to forſake him. But, howſoever, I ſhall ſtill remain

Your Grace's moſt obliged
and faithful ſervant,

FR. ST. ALBAN.

I am bold to put into my good friend, Sir Tobie Matthew's hand, a copy of my petition, which your Grace had ſent to Sir John Suckling.

Indorſed, *Auguſt*, 1624.

To the Duke of BUCKINGHAM.

Excellent Lord,

I AM infinitely bound to your Grace for your late favours. I ſend your Grace a copy of your letter, ſignifying his Majeſty's pleaſure, and of the petition. The courſe, I take it, muſt be, to make a warrant for the execution of the ſame, by way of reference to Mr. Chancellor of the Exchequer, and Mr. Attorney (*p*). I moſt humbly pray your Grace likewiſe, to proſtrate me at his Majeſty's feet, with moſt humble thanks for the grant of my petition, whoſe ſweet preſence ſince I diſcontinued, methinks I am neither amongſt the living, nor amongſt the dead.

I cannot but likewiſe gratulate his Majeſty on the extreme proſperous ſucceſs of his buſineſs, ſince this time twelvemonth. I know I ſpeak it in a dangerous

(*o*) This ſeems to refer to the anniverſary thankſgiving-day for the King's delivery from the Gowry conſpiracy, on the 5th of Auguſt, 1600.

(*p*) Sir Thomas Coventry.

time;

time; becauſe the dye of the Low Countries is upon the throw. But yet that is all one. For if it ſhould be a blow (which I hope in God it ſhall not) yet it would have been ten times worſe, if former courſes had not been taken. But this is the raving of an hot ague.

God evermore bleſs his Majeſty's perſon and deſigns, and likewiſe make your Grace a ſpectacle of proſperity, as you have hitherto been.

Your Grace's moſt faithful,

and obliged, and by you revived ſervant,

Grey's Inn, 9th of October, 1624. FR. ST. ALBAN.

To the Chancellor of the Duchy (*q*), *Sir* HUMPHREY MAY.

Good Mr. Chancellor,

I *Do approve very well your forbearance to move my ſuits, in regard the Duke's return* (*r*) *is ſo near at hand, which I thought would have been a longer matter; and I imagine there is a gratiaſtitium till he come. I do not, but you ſhall find his Grace nobly diſpoſed. The laſt time that you ſpake with him about me, I remember you ſent me word, he thanked you for being ſo forward for me. Yet I could wiſh, that you took ſome occaſion to ſpeak with him, generally to my advantage, before you move to him any particular ſuit; and to let me know how you find him.*

My Lord Treaſurer ſent me a good anſwer touching my monies. I pray you continue to quick-

(*q*) This letter is indorſed, 1625.

(*r*) From Paris, whither the Duke of Buckingham went in May, 1625, to conduct the new Queen to England.

en him, that the King may once clear with me. A fire of old wood needeth no blowing; but old men do. I ever reſt

Yours to do you ſervice.

Conſultations in Parliament anno 1 Caroli Regis, *at Weſtminſter, anno Domini* 1625 (*s*). [*Found among Lord Bacon's papers.*]

THE conſultations now in parliament may be regulated into theſe four heads following.

1. The ſtate of the King in the conſtant revenue of his crown.
   1. What it was; and how far the *introitus et exitus* there ordered. Vide my book of a medium for ten years before *primo Jacobi Regis.*
   2. What now it is in clear revenue, either by
      - Lands;
      - Cuſtoms, and impoſitions;
      - Caſualties.

      - Gifts of land, *ex more motu*, and no valuable conſideration.
        This may be revoked.
      - Grants of penſions, now 120,000 l. before but 18000 l. Good times have reſumed them upon neceſſity.
      - Increaſe of houſehold, from 45,000 l. to 80,000 l.

(*s*) This parliament met on the 18th of June, and was diſſolved Auguſt 12, 1625.

The

3. The means how it is abated by

The purveyors more, and the tables leſs furniſhed than formerly.

Fruitleſs ambaſſages with larger allowance than formerly. To reduce them to the ordinary of the late Queen.

Treble increaſe of the privy purſe. Double increaſe of the treaſury of the chamber and great wardrobe. In all, by not uſing the beſt courſe of aſſignments, whereby the creditor is delayed in his payment, and the King ſurcharged in the price.

The exchequer-man making his beſt profit from the King's wants.

2. The condition of the ſubject in his freedom and fortune.

1. Formerly in taxes by parliament.

Subſidies and fifteenths, ſpent only in defence of the ſtates, or aid of our allies.

Tonnage and poundage employed in guard of the ſeas. Loans rarely, and that employed entirely for the public. Impoſition by prerogative, of old cuſtom, rated eaſily by the book of rates, if any, either limited to time or meaſure.

2. Now in
- Cuſtom inhanced by the new books of rates. Impoſitions and monopolies multiplied; and this ſettled to continue by grants.
- Tonnage and poundage levied, though no act of parliament, nor the ſeas guarded. The times, the ways, and the perſons, that induced theſe.

3. The employment or waſte of treaſure.

1. Public treaſure is to be examined.
- What ſums have been granted for the defence of the ſtate theſe laſt three years.
- How in particular ſpent, and where.
- By what advice, as by direction or
  1. The council of war appointed by parliament.
  2. By full order of the council.
  3. By any other than thoſe, and by whom.

2. The King's ſubjects.
- How many, and when tranſported, or employed, as to
  1. The Palatinate.
  2. Count Mansfield.
  3. Land ſoldiers in the laſt fleet.

The

- The deſign, where they were ſent.
- The council, that directed it.
- The ſucceſs of the action, and the return of the perſons in number, and the loſs.

3. n ſhips and munition of
- 4. Our own.
  - The number and quantity employed ſeverally.
  - The manner of imbarking theſe ſhips, and what prejudice and diſcouragement of trade.
  - The council, that directed ſuch employments.
  - The ſeveral ſucceſſes, as at Argier, and Cadiz.
- 5. Strangers, as prize.
  - 6. Allies.
    - Hired by contract to ſerve, and how uſed: or,
    - Taken as prize: if ſo,
      - How then delivered and dealt withal in the courſe of juſtice.
      - What ſucceſs hath followed upon injuſtice done them: as the arreſt of our goods in France and Germany, whereby our goods are at a ſtand for vent.

The number and true value of the goods.

The account made to his Majeſty, or his officers, for it.

7. Enemies. The diſmiſſing and diſcharging of any of them and the goods, viz.
1. By whom the direction.
2. The pretence.
3. The value of the goods.
4. The place, whither they went.

Under this head will fall the complaint of Dover.

A nation feared, renowned, victorious.

It made the Netherlands there a ſtate, when it was none.

Recovered Henry IV. of France's kingdom, when he had nothing left but the town of Dieppe.

Conquered the invincible navy of Spain in 88.

Took towns in Portugal the year following, and marched 200 miles upon the firm land.

Fired, or brought away, the Spaniſh navy before Cadiz, and ſacked the town.

1. How formerly we ſtood. Took the Spaniſh ſhips daily, and ſpoiled the Port-towns of the Weſt-Indies, never loſing but one ſhip during all the Spaniſh wars.

Reduced the ambition of that King for a fifth monarchy to ſo low an ebb, that in one

one year he paid 2500 millions of ducats for intereſt, ſo as after he was inforced to beg treaties of peace, in low terms, at the laſt Queen Regent's hands.

A carriage and readineſs in the people to aſſiſt their ſovereign in purſe and perſon.

4. Honour of the King and ſtate, which, as in all other, conſiſts more *in famâ* than *vi*.

2. The cauſe of the good ſucceſs then.

A wiſdom and gravity of council, who ordered nothing but by public debate, and then aſſiſted by the military profeſſors either by land or ſea, of the beſt repute, and ſuch only employed.

3. In what condition.

4. Loſs in reputation by the ill ſucceſs

In the voyage of Algier.

In the Palatinate.

In the journey with Mansfield.

In this laſt to Cadiz (*t*).

Condition we now ſtand by

5. The reaſons.

The unchearfulneſs we have either to adventure our purſes or goods, occaſioned by a diſtruſt we have of the ſucceſſes.

The want of the like courſes and counſels, that were formerly uſed.

(*t*) In October, 1625.

I could wiſh, that for every of theſe four heads, there were a particular committee to examine an apt report for the Houſes: and the Houſes, upon every report, to put itſelf into a committee of the whole aſſembly; and, after a full and deliberate debate, to order a model, or form, for a conference with the Lords: and ſo, together, humbly to preſent unto his Majeſty a remonſtrance of their labour; offering withal a ſerious conſultation and debate amongſt themſelves for the finding out the fitteſt manner both for the defence of the ſtate and our allies, reformation of the errors, and a conſtant way to raiſe ſuch ſupplies of money and neceſſaries, as may enable his Majeſty to proceed chearfully, and I hope aſſuredly, in this his glorious action, not only for himſelf and the ſtate, but for all that profeſs the ſame religion, and are alike to be overwhelmed in the ambition of the Spaniſh monarchy.

To Sir ROBERT PYE.

Good Sir Robert Pye,

LET me intreat you to diſpatch that warrant of a petty ſum, that it may help to bear my charge of coming up (x) to London. The Duke, you know, loveth me, and my Lord Treaſurer (y) ſtandeth now towards me in very good affection and reſpect (z). You, that are the third perſon in theſe buſineſſes, I aſſure myſelf, will not be wanting;

(x) From Gorhambury.

(y) Sir James Lord Ley, advanced from the poſt of Lord Chief Juſtice of the King's Bench, on the 20th of December 1624, to that of Lord Treaſurer; and created Earl of Marlborough on the 5th of February, 162½.

(z) His Lordſhip had not been always in that diſpoſition towards the Lord Viſcount St. Alban; for the latter has, among the letters printed in his works, one to this Lord Treaſurer, ſeverely expoſtulating with him about his unkindneſs and injuſtice.

for

for you have profeſſed and ſhewed, ever ſince I loſt the ſeal, your good will towards me. I reſt

Your affectionate and aſſured friend, &c.

Indorſed, *To Sir Robert Pye. Gor.* 1625.

To the Earl of DORSET (*a*).

My very good Lord,

THIS gentleman, the bearer hereof, Mr. Colles by name, is my neighbour. He is commended for a civil young man. I think he wanteth no metal, but he is peaceable. It was his hap to fall out with Mr. Matthew Francis, ſerjeant at arms, about a toy; the one affirming, that a hare was fair killed, and the other foul. Words multiplied, and ſome blows paſſed on either ſide. But ſince the firſt falling out, the ſerjeant hath uſed towards him divers threats and affronts, and, which is a point of danger, ſent to him a letter of chalenge: but Mr. Colles, doubting the contents of the letter, refuſed to receive it. Motions have been made alſo of reconcilement, or of reference to ſome gentlemen of the country not partial: but the ſerjeant hath refuſed all, and now, at laſt, ſueth him in the Earl Marſhal's court. The gentleman ſaith, he diſtruſteth not his cauſe upon the hearing; but would be glad to avoid reſtraint, or long and chargeable attendance. Let me therefore pray your good Lordſhip to move the noble Earl (*b*) in that kind, to carry a favourable hand towards him, ſuch as may ſtand

(*a*) Sir Edward Sackville ſucceeded to that title on the death of his brother Richard, March 28, 1624.

(*b*) Arundel, Earl Marſhal.

with

with juſtice and the order of that court. I ever reſt

Your Lordſhip's faithful friend and ſervant.

Indorſed, *To E. Dorſet. Gar.* 1625.

Sir THOMAS COVENTRY, *Attorney General, to the Lord Viſcount* ST. ALBAN.

My very good Lord,

I Received from your Lordſhip two letters, the one of the 23d, the other of the 28th of this month. To the former, I do aſſure your Lordſhip I have not heard any thing of any ſuits or motion, either touching the reverſion of your honours or the rent of your farm of petty writs; and, if I had heard any thing thereof, I would not have been unmindful of that caveat, which heretofore you gave in by former letters, nor ſlack to do you the beſt ſervice I might.

The debt of Sir Nicolas Bacon reſteth as it did; for in the latter end of King James's time, it exhibited a *quo warranto* in the Exchequer, touching that liberty, againſt St. Nicolas, which abated by his death; then another againſt Sir Edmund, which by the demiſe of the King, and by reaſon of the adjournment of the late term, hath had no farther proceeding, but that day is given to plead.

Concerning your other letter, I humbly thank your Lordſhip for your favourable and good wiſhes to me; though I, knowing my own unaptneſs to ſo great an employment (*c*), ſhould be moſt heartily glad, if his Majeſty had, or yet would chooſe, a man of more merit. But, if otherwiſe, humbleneſs

(*d*) that of the great ſeal, of which Sir Thomas Coventry was three days after made Lord Keeper, on the 1ſt of November 1625.

and

and ſubmiſſion becomes the ſervant, and to ſtand in that ſtation where his Majeſty will have him. But as for the requeſt you make for your ſervant, though I proteſt I am not yet engaged by promiſe to any, becauſe I hold it too much boldneſs towards my maſter, and diſcourteſy towards my Lord Keeper (*d*), to diſpoſe of places, while he had the ſeal: yet in reſpect I have ſome ſervants, and ſome of my kindred, apt for the place you write of, and have been already ſo much importuned by noble perſons, when I lately was with his Majeſty at Saliſbury, as it will be hard for me to give them all denial; I am not able to diſcern, how I can accommodate your ſervant; though for your ſake, and in reſpect of the former knowledge myſelf have had of the merit and worth of the gentlemen, I ſhould be moſt ready and willing to perform your deſire, if it were in my power. And ſo, with remembrance of my ſervice to your Lordſhip, I remain

At your Lordſhip's commandment,

Kingſbury,
Oct. 29, 1625.

THO. COVENTRY.

To the Right Honourable, and my very good Lord, the Viſcount St. Alban.

To Mr. ROGER PALMER.

Good Mr. Roger Palmer,

I THANK God, by means of the ſweet air of the country, I have obtained ſome degree of health. Sending to the court, I thought

(*c*) Biſhop Williams, who had reſigned the great ſeal, on the 25th of October 1625, to Sir John Suckling, who brought his Majeſty's warrant to receive it, dated at Saliſbury on the 23d of that month.

I would ſalute you: and I would be glad, in this ſolitary time and place, to hear a little from you how the world goeth, according to your friendly manner heretofore.

Fare ye well moſt heartily.

Your very affectionate and aſſured friend,

Gorhambury,
Oct. 29, 1625.

FR. ST. ALBAN.

To the Duke of BUCKINGHAM.

Excellent Lord,

I Could not but ſignify unto your Grace my rejoicing, that God hath ſent your Grace a ſon and heir (*e*), and that you are fortunate as well in your houſe, as in the ſtate of the kingdom. Theſe bleſſings come from God, as I do not doubt but your Grace doth, with all thankfulneſs, acknowledge; vowing to him your ſervice. Myſelf, I praiſe his divine Majeſty, have gotten ſome ſtep into health. My wants are great; but yet I want not a deſire to do your Grace ſervice; and I marvel, that your Grace ſhould think to pull down the monarchy of Spain without my good help. Your Grace will give me leave to be merry, however the world goeth with me. I ever reſt

Your Grace's moſt faithful,

and obliged ſervant, &c.

I wiſh your Grace a good new year.

(*e*) born November 17, 1625, and named Charles. Diary of the Life of Archbiſhop Laud, publiſhed by Mr. Wharton, p. 24. This ſon of the Duke died the 16th of March, 162$\frac{6}{7}$. Ibid. p. 40.

To

To Sir HUMPHREY MAY, *Chancellor of the Duchy of Lancaſter.*

Good Mr. Chancellor,

I Did wonder what was become of you, and was very glad to hear you were come to court; which, methinks, as the times go, ſhould miſs you as well as I.

I ſend you another letter, which I wrote to you of an old date, to avoid repetition; and I continue my requeſt then to you, to ſound the Duke of Buckingham's good affection towards me, before you do move him in the particular petition. Only the preſent occaſion doth invite me to deſire, that his Grace would procure me a pardon of the King of the whole ſentence. My writ for parliament I have now had twice before the time, and that without any expreſs reſtraint not to uſe it. It is true, that I ſhall not be able, in reſpect of my health, to attend in parliament; but yet I might make a proxy. Time hath turned envy to pity; and I have a long Cleanſing week of five years expectation and more. Sir John Bennet hath his pardon; and my Lord of Somerſet hath his pardon, and, they ſay, ſhall ſit in parliament. My Lord of Suffolk cometh to parliament, though not to council. I hope I deſerve not to be the only outcaſt.

God keep you. I ever reſt

Your moſt affectionate friend,

to do you ſervice.

I wiſh you a good new year.

Indorſed, *To the Chancellor of the Duchy. Gor.* 1625.

To

*To the Marquis d'*EFFIAT, *the French Ambaſſador.*

Monſ. l'Ambaſſadeur, mon fils,

VOUS ſcavez que le commencement eſt la moitié du fait. Voyla pourquoy je vous ay eſcrit ce petit mot de lettre, vous priant de vous ſouvenir de voſtre noble promeſſe de me mettre en la bonne grace de noſtre tres-excellente Royne, & m'en faire recevoir quelque gracieuſe demonſtration. Voſtre Excellence prendra auſſi, s'il vous plaiſt, quelque occaſion de preſcher un peu à mon advantage en l'oreille du Duc de Buckingham en general. Dieu vous ayt en ſa ſaincte garde.

Voſtre tres-affectionné

Jan. 18, 1625.

et tres-humble ſerviteur,

FR. ST. ALBAN.

The

The following letters, wanting both dates and circumſtances to determine ſuch dates, are placed here together.

To KING JAMES I.

May it pleaſe your Majeſty,

THINKING often, as I ought, of your Majeſty's virtue and fortune, I do obſerve, not without admiration, that thoſe civil acts of ſovereignty, which are of the greateſt merit, and therefore of trueſt glory, are, by the providence of God, manifeſtly put into your hands, as a choſen veſſel to receive from God, and an excellent inſtrument to work amongſt men the beſt and nobleſt things. The higheſt degree of ſovereign honour is to be founder of a kingdom or eſtate; for, as in the acts of God, the creation is more than the conſervation; and as, among men, the birth-day is accounted the chiefeſt of the days of life; ſo, to found a kingdom, is more worthy, than to augment, or to adminiſter the ſame. And this is an honour, that no man can take from your Majeſty, that the day of your coming to the crown of England was as the birth-day of the kingdom intire Britain.

The next degree of ſovereign honour is the plantation of a country or territory, and the reduction of a nation, from waſte ſoil and barbarous manners, to a civil population. And in this kind alſo your Majeſty hath made a fair and proſperous beginning in your realm of Ireland.

The third eminent act of ſovereignty is to be a law-giver, whereof he ſpeaketh,

Pace datâ terris, animum ad civilia vertit
Jura ſuum, legeſque tulit juſtiſſimus author.

And

And another ſaith, " Ecquid eſt, quod tam pro-
" priè dici poteſt actum ejus, qui togatus in re-
" publicâ cum poteſtate imperioque verſatur, quam
" lex. Quære acta Gracchi; leges Sempronіæ pro-
" ferentur: quære Syllæ, Corneliæ quid? Cnei
" Pompeii tertius conſulatus in quibus actis con-
" ſiſtit? Nempe legibus. A Cæſare ipſo ſi quæreres
" quidnam egiſſet in urbe et toga; leges multas ſe
" reſpondeat et præclaras tuliſſe."

To the KING.

It may pleaſe your Majeſty,

A Full heart is like a full pen: it can hardly make any diſtinguiſhed work. The more I look upon my own weakneſs, the more I muſt magnify your favours; and the more I behold your favours, the more I muſt conſider mine own weakneſs. This is my hope, that God, who hath moved your heart to favour me, will write your ſervice in my heart. Two things I may promiſe; for, though they be not mine own, yet they are ſurer than mine own, becauſe they are God's gifts; that is, integrity and induſtry. And therefore, whenſoever I ſhall make my account to you, I ſhall do it in theſe words, *ecce tibi lucrifeci*, and not *ecce mihi lucrifeci*. And for induſtry, I ſhall take to me, in this procuration, not Martha's part, to be buſied in many things, but Mary's part, which is to intend your ſervice; for the leſs my abilities are, the more they ought to be contracted *ad unum*. For the preſent, I humbly pray your Majeſty to accept my moſt humble thanks and vows as the forerunners of your ſervice, which I ſhall always perform with a faithful heart.

Your Majeſty's moſt obedient ſervant,

FR. BACON.

To

To the KING's *Moſt Excellent Majeſty*

The humble petition of the Lord VERULAM, *Viſcount* ST. ALBAN.

THAT, whereas your ſupplicant, for reward of full ſixteen years ſervice in the painfulleſt places of your kingdom, (how acceptable or uſeful, he appealeth to your Majeſty's gracious remembrance) had of your Majeſty's gracious bounty two grants, both under the great ſeal of England; the one a penſion of 1200 l. the other a farm of the petty writs, about 600 l. *per annum*, in value, which was long ſince aſſigned to your ſupplicant's wife's friends in truſt for her maintenance: which two grants are now the ſubſtance of your ſupplicant's and his wife's means, and the only remains of your Majeſty's former favours, except his dignities, which, without means, are but burdens to his fortunes:

So it is, moſt gracious Sovereign, that both theſe are now taken from him; the penſion ſtopped, the leaſe ſeized, the penſion being, at this preſent, in arrear 500 l. and at Michaelmaſs 800 l. is ſtopped, as he conceiveth, upon the general ſtop of penſions; though he hopeth aſſuredly, that your Majeſty, that looketh with the gracious eye of a King, and not the ſtrict eye of an officer, will behold his caſe as eſpecial, if not ſingular. The latter was firſt ſeized for ſatisfaction of a private gentleman, your ſupplicant unheard, and without any ſhadow of a legal courſe. Since it hath been continued, in reſpect of a debt to your Majeſty for the arrear of rent upon the ſame farm, amounting to 1500 l. But whereas your Majeſty's farmers debtors for their rents, and other your debtors, have uſually favours, ſometimes of ſtallment, ſometimes upon equity, if their farms decay, or at leaſt when they are called upon, have days

given, put in ſecurity, or the like; your ſupplicant was never ſo much as ſent to, no warnings to provide, no days given, but put out of poſſeſſion ſuddenly, by a private and peremptory warrant, without any ſpark of thoſe favours uſed to the meaneſt ſubjects. So that now your ſupplicant having left little or no annual income, is in great extremity, having ſpread the remnant of his former fortunes in jewels and plate, and the like, upon his poor creditors, having ſcarce left bread to himſelf and family.

In tender conſideration whereof, your ſupplicant, and overthrown ſervant, doth implore your Majeſty's grace and goodneſs felt by ſo many, known to all, and whereof he cannot live to deſpair; firſt, in general, that your Majeſty will not ſuffer him, upon whoſe arm your princely arm hath ſo often been, when you preſided in counſel (ſo near he was) and who hath borne your image in metal, but more in his heart, utterly to periſh; or, which is worſe, to live, in his laſt days, in an abject and ſordid condition. Next, in particular, that your Majeſty would be graciouſly pleaſed to take preſent order to have the arrear of his penſion paid, and likewiſe that for the future it may be ſettled, that he be not at courteſy, nor to beg at that door, which is like enough to be ſhut againſt him. Secondly, that the poſſeſſion of his wife's leaſe may be reſtored to her; and this bit of arrear to your Majeſty, that you will be pleaſed to remit it, according to your Majeſty's gracious and pious promiſe, when you admitted him to you in the night of his troubles, which was, that you would not meddle with his eſtate, but to mend it. In the reſtoring the poſſeſſion, you ſhall remove your hand of arms: in the remitting of the rent, you ſhall extend your hand of grace: and if he be not worthy of ſo much favour, as to have it releaſed yet, that it may be reſpited for ſome good time, that he may make ſomewhat of that his father left him, and keep him-

himſelf out of want, in ſuch ſort, that your ſuppliant, that aſpireth but to live to ſtudy, be not put to ſtudy to live. And he, according to his bounden duty, ſhall not intermit, as ever he hath done, to pray to God for your Majeſty's health and happineſs.

To the Marquis of BUCKINGHAM.

My very good Lord,

I Hear yeſterday was a day of very great honour to his Majeſty, which I do congratulate. I hope alſo his Majeſty may reap honour out of my adverſity, as he hath done ſtrength out of my proſperity. His Majeſty knows beſt his own ways; and for me to deſpair of him, were a ſin not to be forgiven. I thank God I have overcome the bitterneſs of this cup by Chriſtian reſolution; ſo that worldly matters are but mint and cumin.

God ever preſerve you.

Indorſed, *To my Lord Buckingham after my troubles.*

To the Marquis of BUCKINGHAM.

My very good Lord,

I Thought it my duty to take knowledge to his Majeſty, from your Lordſhip, by the incloſed, that, much to my comfort, I underſtand his Majeſty doth not forget me nor forſake me, but hath a gracious inclination to me, and taketh care of me; and to thank his Majeſty for the ſame. I perceive, by ſome ſpeech, that paſſed between your Lordſhip and Mr. Meautys, that ſome wretched detractor hath told you, that it were ſtrange I ſhould be in

debt; for that I could not but have received an hundred thouſand pound gifts ſince I had the ſeal; which is an abominable falſehood. Such tales as theſe made St. James ſay, that the *tongue is a fire*, and *itſelf fired from Hell*, whither when theſe tongues ſhall return, they will *beg a drop of water to cool them*. I praiſe God for it, I never took peny for any benefice or eccleſiaſtical living; I never took peny for releaſing any thing I ſtopped at the ſeal; I never took peny for any commiſſion, or things of that nature; I never ſhared with any ſervant for any ſecond or inferior profit. My offences I have myſelf recorded, wherein I ſtudied, as a good confeſſant, guiltineſs, and not excuſe; and therefore I hope it leaves me fair to the King's grace, and will turn many men's hearts to me.

As for my debts, I ſhewed them your Lordſhip, when you ſaw the little houſe and the farm, beſides a little wood or deſert, which you ſaw not.

If theſe things were not true, although the joys of the penitent be ſometimes more than the joys of the innocent, I could not be as I am.

God bleſs you, and reward you for your conſtant love to me. I reſt, &c.

Draught of a Letter to the Marquis of BUCKINGHAM, *not ſent (f).*

My Lord,

I Say to myſelf, that your Lordſhip hath forſaken me; and I think I am one of the laſt, that findeth it, and in nothing more, than that twice at London

(f) Among Lord Bacon's printed letters, is one without a date, in which he complains, as in this, that he *being twice now in London* the Marquis *did not vouchſafe to ſee him.*

your

your Lordſhip would not vouchſafe to ſee me, though the latter time I begged it of you. If your Lordſhip lack any juſtification about York-houſe, good my Lord, think of it better; for I aſſure your Lordſhip, that motion to me was to me as a ſecond ſentence; for I conceived it ſentenced me to the loſs of that, which I thought was ſaved from the former ſentence, which is your love and favour. But ſure it could not be that pelting matter, but the being out of ſight, out of uſe, and the ill offices done me, perhaps, by ſuch, as have your ear. Thus I think, and thus I ſpeak; for I am far enough from any baſeneſs or detracting, but ſhall ever love and honour you, howſoever I be

Your forſaken friend and freed ſervant,

FR. ST. ALBAN.

To the Marquis of BUCKINGHAM.

My very good Lord,

IT is in vain to cure the accidents of a diſeaſe, except the cauſe be found, and removed. I know adverſity is apprehenſive; but I fear it is too true, that now I have loſt honour, power, profit, and liberty, I have, in the end, loſt that, which, to me, was more dear than all the reſt, which is my friend. A change there is apparent and great; and nothing is more ſure, than that nothing hath proceeded from and ſince my troubles, either towards your Lordſhip or towards the world, which hath made me unworthy of your undeſerved favours or undeſired promiſes. Good my Lord, deal ſo nobly with me, as to let me know, whether I ſtand upright in your favour, that either I may enjoy my wonted comfort, or ſee my griefs together, that I may the better order them;

though, if your Lordſhip ſhould never think more of me, yet your former favours ſhould bind me to be

Your Lordſhip's moſt obliged

and faithful ſervant,

FR. ST. ALBAN.

To the Marquis of BUCKINGHAM.

My very good Lord,

THIS extreme winter hath turned, with me, a weakneſs of body into a ſtate, that I cannot call health, but rather ſickneſs, and that more dangerous than felt, as whereby I am not likely to be able to wait upon your Lordſhip, as I deſired, your Lordſhip being the perſon, of whom I promiſe myſelf more almoſt than of any other; and, again, to whom, in all loving affection, I deſire no leſs to approve myſelf a true friend and ſervant. My deſire to your Lordſhip is to admit this gentleman, my kinſman and approved friend, to explain to you my buſineſs, whereby to ſave further length of letter, or the trouble of your Lordſhip's writing back.

To Mr. TOBIE MATTHEW.

Good Mr. Matthew,

THE event of the buſineſs, whereof you write, is, it may be, for the beſt: for ſeeing my Lord, of himſelf, beginneth to come about, *quorſum* as yet? I could not in my heart ſuffer my Lord Digby to go hence without my thanks and acknowledgements.

ledgements. I ſend my Letter open, which I pray ſeal and deliver. Particulars I would not touch.

Your moſt affectionate and aſſured friend,

FR. ST. ALBAN.

To Mr. TOBIE MATTHEW.

Good Mr. Matthew,

WHEN you write by pieces, it ſheweth your continual care; for a fluſh of memory is not ſo much; and I ſhall be always, on my part, ready to watch for you, as you for me.

I will not fail, when I write to the Lord Marquis, to thank his Lordſhip for the meſſage, and to name the nuntius. And, to tell you plainly, this care, they ſpeak of, concerning my eſtate, was more than I looked for at this time; and it is that, which pleaſeth me beſt. For my deſires reach but to a fat *otium*. That is truth; and ſo would I have all men think, except the greateſt; for I know patents, *abſque aliquid inde reddendo*, are not ſo eaſily granted.

I pray my ſervice to the Spaniſh Ambaſſador, and preſent him my humble thanks for his favour. I am much his ſervant; and aſhes may be good for ſomewhat. I ever reſt

Your moſt affectionate and aſſured friend,

FR. ST. ALBAN.

I have ſought for your little book, and cannot find it. I had it one day with me in my coach. But ſure it is ſafe; for I ſeldom loſe books or papers.

To the Lord Viſcount ST. ALBAN.

Moſt honoured Lord,

I Have received your great and noble token and favour of the 9th of April, and can but return the humbleſt of my thanks for your Lordſhip's vouchſafing ſo to viſit this pooreſt and unworthieſt of your ſervants. It doth me good at heart, that, although I be not where I was in place, yet I am in the fortune of your Lordſhip's favour, if I may call that fortune, which I obſerve to be ſo unchangeable. I pray hard, that it may once come in my power to ſerve you for it; and who can tell, but that, as *fortis imaginatio generat caſum*, ſo ſtrange deſires may do as much? Sure I am, that mine are ever waiting on your Lordſhip; and wiſhing as much happineſs, as is due to your incomparable virtue, I humbly do your Lordſhip reverence.

Your Lordſhip's moſt obliged,

and humble ſervant,

TOBIE MATTHEW.

POSTC. The moſt prodigious wit, that ever I knew of my nation, and of this ſide of the ſea, is of your Lordſhip's name, though he be known by another.

To the Lord Archbiſhop of YORK (g).

My very good Lord,

I Muſt uſe a better ſtyle, than mine own, in ſaying, *Amor tuus undequaque ſe oſtendit ex litoris tuis proximis*,

(g) Dr. Tobie Matthew.

proximis, for which I give your Grace many thanks, and ſo, with more confidence, continue my ſuit to your Lordſhip for a leaſe abſolute for twenty one years of the houſe, being the number of years, which my father and my predeceſſors fulfilled in it. A good fine requires certainty of term; and I am well aſſured, that the charge I have expended, in reparations, amounting to 1000 marks at leaſt already, is more than hath been laid out by the tenants, that have been in it ſince my remembrance, anſwerable to my particular circumſtance, that I was born there, and am like to end my days there. Neither can I hold my hand, but, upon this encouragement, am like to be doing ſtill, which tendeth to the improvement, in great meaſure, of the inheritance of your ſee by ſuperlapidations, if I may ſo call it, inſtead of dilapidations, wherewith otherwiſe it might be charged.

And whereas a ſtate for life is a certainty, and ot ſo well ſeen how it wears, a term of years makes e more depending upon you and your ſucceſſion. For the providing of your Lordſhip and your ſucceſſors a houſe, it is part of the former covenant, wherein I deſired not to be releaſed.

Aſſuring myſelf of your grant and perfecting of this your ſuit; and aſſuring your Grace of my earneſt deſire and continual readineſs to deſerve well of you and yours chiefly, and likewiſe of the ſee in any the cauſes or preeminences thereof, I commend your Grace to God's goodneſs, reſting, &c.

☞ The

☞ *The following letter being omitted in its proper place, between p. 44 and 45, is inſerted from the original in the Advocate's library at Edinburgh.*

To the KING.

It may pleaſe your moſt excellent Majeſty,

WE have, with all poſſible care and diligence, conſidered Cotton's *(h)* cauſe, the former and the latter, touching the book and the letter in the gilt

(*h*) The caſe of this gentleman will render the detail of it neceſſary for the illuſtration of this letter; and the circumſtances of it, not known in our hiſtory, may be thought to deſerve the reader's attention. He was a native of the Weſt of England, and a recuſant, againſt whom a proclamation was iſſued in June 1613, charging him with high treaſon againſt the King and State for having publiſhed a very ſcandalous and railing book againſt his Majeſty, under the title of *Balaam's Aſs*, which was dropt in the gallery at White-Hall. Juſt at the time of publiſhing this proclamation, he happened to croſs the Thames, and inquiring of the watermen what news? they, not knowing him, told him of the proclamation. At landing, he muffled himſelf up in his cloke, to avoid being known; but had not gone many paces, when one Mr. Maine, a friend of his, meeting and diſcovering him, warned him of his danger; and being aſked what he muſt do, adviſe him to do, recommended it to him to ſurrender himſelf; which he did to the Earl of Southampton. He denied himſelf to be the author of the libel: but his ſtudy being ſearched, among his papers were found many parts of the book, together with relics of thoſe perſons, who had been executed for the gunpowder treaſon, as one of Sir Everard Digby's fingers, a toe of Thomas Percy, ſome other part of Cateſby or Rookewood, and a piece of one of Peter Lambert's ribs. He was kept priſoner in the Tower till March 161⅘, when the true author of the libel was diſcovered to be John Williams, a lawyer. The diſcovery was owing to this accident: a purſuivant in want of money, and deſirous to get ſome by his employment, waited at the Spaniſh Ambaſſador's door, to ſee if he could light upon any prey. At laſt came out Mr. Williams, unknown to the purſuivant; but carrying,

gilt apple, and have adviſedly peruſed and weighed all the examinations and collections, which were formerly taken; wherein we might attribute a good deal of worthy induſtry and watchful inquiry to my Lord of Canterbury. We thought fit alſo to take ſome new examinations; which was the cauſe we certified no ſooner. Upon the whole matter, we find the cauſe of his impriſonment juſt, and the ſuſpicions and preſumptions many and great; which we little need to mention, becauſe your Majeſty did relate and inforce them to us in better perfection, than we can expreſs them. But, nevertheleſs, the proofs ſeem to us to amount to this, that it was poſſible he ſhould be the man; and that

rying, in his conceit, the countenance of a prieſt. The purſuivant, therefore, followed him to his inn, where Williams having mounted his horſe, the purſuivant came to him, and told him, that he muſt ſpeak a word or two with him. "Marry, "with all my heart, *ſaid Williams:* what is your pleaſure?" "You muſt light, anſwered the purſuivant; *for you are a prieſt.* "A prieſt? *replied Williams:* I have a good warrant to the "contrary; for I have a wife and children." Being, however, obliged to diſmount, the purſuivant ſearched him; and in his pocket was found a bundle of papers ſealed up; which the purſuivant going to open, Williams made ſome reſiſtance, pretending they were evidences of a gentleman, whoſe law-buſineſs he tranſacted. The purſuivant inſiſting upon opening the papers, among them was found *Balaam's Aſs*, with new annotations; of which, upon examination, *Williams* confeſſed himſelf to be the author. He was brought to the trial, and condemned at the King's Bench at Weſtminſter the 3d of May 1619, and executed at Charing-Croſs on the 5th. MS. letters of Mr. Thomas Lorkin to Sir Thomas Puckering, Bart. dated at London, June the 24th and 30th 1613, and March the 16th 161⅘, and May the 4th and 5th 1619, among the Harleian MSS. Vol. 7002. See likewiſe *Camdeni annales Regis Jacobi*, p. 43, 44. It is but juſtice to the memory of our great antiquary, Sir Robert Cotton, Bart. to remark here a miſtake of Dr. Thomas Smith in his Life of Sir Robert, p. 26. prefixed to his catalogue of the Cottonian library, where he has confounded the Cotton, mentioned in the beginning of this note, with Sir Robert Cotton, and erroneouſly ſuppoſed, that the ſuſpicion of having written the libel had fallen upon the latter.

it

it was probable likewiſe, he was the man; but no convicting proofs, that may ſatisfy a jury of life and death, or that may make us take it upon our conſcience, or to think it agreeable to your Majeſty's honour (which, next our conſcience to God, is the deareſt thing to us on earth) to bring it upon the ſtage: which, notwithſtanding we, in all humbleneſs, ſubmit to your Majeſty's better judgement. For his liberty, and the manner of his delivery (he having ſo many notes of a dangerous man) we leave it to your princely wiſdom. And ſo, commending your Majeſty to God's precious cuſtody, we reſt

Your Majeſty's moſt humble

and bounden ſervants,

22 Jan. 1613.

FR. BACON.
H. MONTAGU.
H. YELVERTON

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